

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, JULY 17, 2023.

**1. CALL TO ORDER**

Mayor Hudson called the July 17, 2023, Regular Meeting of the City Commission to order at 5:05 P.M.

**2. OPENING PRAYER -Commissioner Curtis Johnson, Jr.**

**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 the June 20, 2023 Regular Meeting

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the Minutes of the June 20, 2023 Regular Meeting.

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

Passed

**6. PROCLAMATIONS**

- a. Treasure Coast Waterway Cleanup Week

Forest Blanton, Commodore of The Fort Pierce Yacht Club, accepted the proclamation and commented on the upcoming cleanup week.

**7. LETTERS TO COMMISSION**

- a. Email from Joe Bonomo thanking Brittany Meredith, Deputy City Clerk, for her expeditious response to his request for a city competency card.
- b. Police Sergeant John Fasanello and Police Officer Damian Spotts received a commendation from the Arlington County Police Department for their efforts during the recent Law Enforcement Memorial Ride in Fort Pierce.
- c. Email from Diane Shaw commending the City of Fort Pierce for the organization and collaboration of the animal adoption event at the Fenn Center and for its impact on rescue groups and animals.

**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 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.

None

**10. MISCELLANEOUS REPORTS**

- a. Presentation of World Changers' service to the City of Fort Pierce.

Joel Dramis thanked the City for their support of World Changers' and provided a program update.

- b. Parking Committee Recommendation regarding the Fort Pierce Resorts LLC Lease renewal of six parcels located west of Indian River Drive currently leased by the City for additional public parking.

Selena Griffett , Engineering, provided recommendations regarding the Fort Pierce Resort LLC lease renewal. The property owner has requested an increase of the lease at the cost of an additional \$18,000 annually. Staff was instructed to proceed with negotiations.

**11. CONSENT AGENDA**

- a. Approval to accept the proposal of Accurate Power and Technology in the amount of \$59,382.54, in response to Bid Proposal 2023-034 - Electrical Services for the Installation of the Building Department Generator.
- b. Approval to piggyback St. Lucie County Annual Striping Contract C19-02-162 with TRP Construction Group for the Delaware Avenue Parking Striping from 17th Street to US 1 in the total amount of \$51,445.00.
- c. Approval of Unit Price Construction Contract for Bid No. 2023-007, The Oak's at Moore's Creek Phase II Subdivision, to PRP Construction Group, LLC., Indiantown, FL, in the amount of \$635,449.15.
- d. Approval of Letters of Appreciation to Representative Dana Trabulsy and Senator Erin Grall for support of Avenue D Road Improvement \$1.5 million Appropriation.

- e. Approval of extension request for 727 S. 11th Street to extend deadline by 150 days from date of Commission Meeting to pour a foundation for residential construction.
- f. Approval to purchase services from Tyler Technologies Inc. for Extended EPL Services for extended implementation consulting and project management not to exceed \$54,768.00.
- g. Approval of Service Agreement for Bid No. 2023-035, Ohio Avenue (US 1 to 11th Street) Roadway Reconstruction, to PRP Construction Group LLC, Indiantown, FL in the amount of \$2,486,699.50
- h. Approval to purchase from iProject Solutions, LLC for (4) FM Workstation iPlan Tables in the amount not to exceed \$52,725.00.
- i. Approve the Mutual Benefit and Use Agreement with Ashbritt, Inc., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- j. Approve the Mutual Benefit and Use Agreement with True North Emergency Management, LLC., for Disaster Debris Monitoring Management and Consulting Services for the 2023 Hurricane Season.
- k. Approve the Mutual Benefit and Use Agreement with Bergeron Emergency Services, Inc., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- l. Approve the Mutual Benefit and Use Agreement with Ceres Environmental Services, Inc., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- m. Approve the Mutual Benefit and Use Agreement with Custom Tree Care, Inc., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- n. Approve the Mutual Benefit and Use Agreement with D&J Enterprises, Inc., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- o. Approve the Mutual Benefit and Use Agreement with DRC Emergency Services, LLC., for Emergency Debris Removal Services for the 2023 Hurricane Season.
- p. Approval of Second Addendum to Agreement Between the City of Fort Pierce and St. Lucie County to Exchange Rights-of-Way.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Jeremiah Johnson 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. Legislative Hearing - Ordinance 23-041 - Review and approval of a Zoning Map Amendment by owner Resurrection Life Family Worship Center Inc. and applicant Brad Currie with EDC, Inc., to change the zoning from Medium, Density Residential, R-4, to Planned Development, PD, of 4.883 acres of the parcel located at 1910 S. Jenkins Road Fort Pierce, FL 44947. Parcel ID: 2418-322-0001-000-5.  
SECOND READING

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

ORDINANCE NO. 23-041

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING THE PROPERTY GENERALLY LOCATED AT OR NEAR THE SOUTHERN 4.88 ACRES OF 1910 S. JENKINS ROAD, FROM MEDIUM DENSITY RESIDENTIAL (R-4) TO PLANNED DEVELOPMENT (PD); 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 Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 23-041.

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

Passed

- b. Legislative Hearing - Ordinance 23-042 - 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 a portion of one (1) parcel generally located at or near 1602 South 30th Street, from City of Fort Pierce (RL) Low Density Residential to City of Fort Pierce (GC) General Commercial; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. Subject Parcel: 2417-506-0033-000-9. SECOND READING

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

ORDINANCE NO. 23-042

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 A PORTION OF ONE (1) PARCEL GENERALLY LOCATED AT OR NEAR 1602 SOUTH 30TH STREET, FROM CITY OF FORT PIERCE (RL) LOW DENSITY RESIDENTIAL TO CITY OF FORT PIERCE (GC) GENERAL COMMERCIAL; 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 Curtis Johnson, Jr. to approve Ordinance No. 23-042.

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

Passed

- c. Legislative Hearing - Ordinance 23-043 - An Ordinance by the City Commission of the City of Fort Pierce, Florida; Rezoning a portion of the property generally located at or near 1602 South 30th Street, from (R-3) Single Family Moderate-Density Residential Zone to (C-3) General Commercial Zone; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. Subject Property: Parcel ID: 2417-506-0033-000-9. SECOND READING

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

ORDINANCE NO. 23-043

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; REZONING A PORTION OF THE PROPERTY GENERALLY LOCATED AT OR NEAR 1602 SOUTH 30TH STREET, FROM (R-3) SINGLE FAMILY MODERATE-DENSITY RESIDENTIAL ZONE TO (C-3) GENERAL COMMERCIAL 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 Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No. 23-043.

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

Passed

- d. Legislative Hearing - Ordinance 23-044 - 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 7325 Pruitt Research Center Road, from City of Fort Pierce (RM) Medium Density Residential to City of Fort Pierce (GC) General Commercial; providing for a severability clause; providing for repeal of ordinances or parts thereof in conflict herewith; and providing for an effective date. Subject Parcel: 2323-501-0001-000-3. SECOND READING

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

ORDINANCE NO. 23-044

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 7325 PRUITT RESEARCH CENTER ROAD, FROM CITY OF FORT PIERCE (RM) MEDIUM DENSITY RESIDENTIAL TO CITY OF FORT PIERCE (GC) GENERAL COMMERCIAL; 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 Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 23-044.

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

Passed

- e. Legislative Hearing - Ordinance 23-045 - An ordinance by the City Commission of the City of Fort Pierce amending the City's Zoning Atlas and establishing a Zoning Designation of Planned Development (PD) for one (1) parcel containing approximately 19.55 acres and being generally located at or near 7325 Pruitt Research Center Road in Fort Pierce, Florida; providing for a severability clause; repealing all ordinances or parts thereof in conflict herewith; and providing for an effective date. SECOND READING

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

ORDINANCE NO. 23-045

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE AMENDING THE CITY'S ZONING ATLAS AND ESTABLISHING A ZONING DESIGNATION OF PLANNED DEVELOPMENT (PD) FOR ONE (1) PARCEL CONTAINING APPROXIMATELY 19.55 ACRES AND BEING GENERALLY LOCATED AT OR NEAR 7325 PRUITT RESEARCH CENTER ROAD IN FORT PIERCE, FLORIDA; 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 Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Ordinance No. 23-045.

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

Passed

- f. Legislative Hearing - Ordinance 23-046 Amending Chapter 103, Article V, Amending Section 103-203 Regulation of Stormwater Run-off. SECOND READING

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

ORDINANCE NO. 23-046

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA BY AMENDING CHAPTER 103, BUILDING AND BUILDING REGULATIONS, ARTICLE V, BUILDING DRAINAGE, SECTION 103-203, REGULATION OF STORMWATER RUN-OFF; REQUIRED SLOPE; PROVIDING FOR PROFESSIONAL DRAINAGE PLAN REQUIREMENTS; PROVIDING FOR POST DEVELOPMENT REQUIREMENTS; PROVIDING FOR EXCEPTIONS; PROVIDING FOR REQUIREMENTS DURING CONSTRUCTION; PROVIDING FOR MAINTENANCE REQUIREMENTS; PROVIDING FOR GUTTER AND DOWNSPOUT REQUIREMENTS; PROVIDING FOR PROHIBITIONS; PROVIDING FOR ENFORCEMENT; PROVIDING FOR APPLICABILITY; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; 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 Michael Broderick, seconded by Commissioner Arnold Gaines to approve Ordinance No. 23-046.

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

Passed

- g. Legislative Hearing - Ordinance 23-047 An ordinance extending the territorial limits of the City of Fort Pierce, Florida, to include two (2) parcels at or near approximately 2570 S. Rock Road. The parcel IDs are 2323-501-0011-000-6 & 2323-501-0013-100-1. FIRST READING

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

ORDINANCE NO. 23-047

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE TWO (2) PARCELS AT OR NEAR APPROXIMATELY 2570 S. ROCK ROAD, FORT PIERCE, FL 34945 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.

Kerry Charles, Planner, presented an application for a Voluntary Annexation of two (2) parcels at or near 2570 S. Rock Road.

RECOMMENDATION:

As proposed, the annexation meets the standards of the City's Comprehensive Plan, specifically Policy Section 1.11 regarding annexations.

Questions of Staff:

Commissioner Jeremiah Johnson inquired if the property owner has the ability to utilize their property as they desire. Kevin Freeman, Planning Director, explained that applicants are being directed to maintain the St. Lucie County designation while they establish the future use, so they may maintain the agricultural use.

Mayor Hudson opened the public hearing.

Rick Laventure, Atlantic Civil Engineering, commented they had asked the Planning departments to come up with a compatible use, and they have complied with this recommendation.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 23-047.

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

Passed

- h. Quasi-Judicial Hearing - Review and approval of an application for Final Plat, submitted by Property Owner(s), L&R, Inc., and Applicant, Brian Nolan, AICP, ASLA of Lucido & Associates, to subdivide approximately 19.54 acres of land (more or less) into 3 platted lots, a Road Tract, Stormwater Tract, and associated easements and buffers for the commercial subdivision of Project Hunt located at or near 7325 Pruitt Research Center Road in Fort Pierce, FL. The property is currently zoned Medium Density Residential (R-4). The applicant is requesting a rezoning to Planned Development (PD). Parcel Control Number: 2323-501-0001-000-3.

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 – Yes (Applicant and representatives of the project)

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 an application for a Final Plat.

RECOMMENDATION:

Staff recommends Approval of the request with one (1) condition:

1. 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 on the landscape and buffer from the site plan. Mr. Gilmore explained that the applicant has submitted the requirements.

Question of the Applicant:

Lee Dobbins, Dean and Mead, had no questions of staff.

Questions of the Applicant:

None

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Commissioner Broderick commented on the project.

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

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

Passed

- i. Quasi-Judicial Hearing - Review and approval of an application for a Final Plat Review submitted by applicant Kenneth Simigran to subdivide 1 parcel into 3 platted lots at 2671 S. Jenkins Road, Westcity FP Shops, more specifically located at Parcel ID: 2324-411-0000-000-3.

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, Senior Planner, presented the review and approval of an application for a Final Plat.

RECOMMENDATION:

Staff Recommends that the City Commission vote for approval of the final plat with two conditions:

1. 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

2. The applicant must pass their PRM inspection before Mylars are sent to the City for signage.

Questions of Staff:

Commissioner Jeremiah Johnson inquired on parcel frontage and connectivity.

Question of the Applicant:

Pete Sweeney, Block & Scarpa, had no questions of staff.

Questions of Applicant:

None

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 the application for Final Plat with (2) two conditions.

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

Passed

- j. Quasi-Judicial Hearing - Review and Approval of an application for a Preliminary Plat, submitted by Property Owner(s), SK Savannah Lakes LLC, and Applicant, Dennis Murphy, Culpepper & Terpening, Inc., to subdivide approximately 132.696 acres of land (more or less) into 650 platted lots including common-area tracts, drainage & access easements, water management tracts, lift station easements, and utility easements for The Preserve at Savannah Lakes Subdivision at or near the East Side of S US Highway 1 at the intersection of Dickson Drive and lying North of the existing Gator Trace Planned Development in Fort Pierce, FL. The property is currently zoned Planned Development (PD). Parcel Control Number(s): 2426-333-0015-000-5, 2427-433-0002-000-1, 2427-433-0001-000-4, 2434-121-0001-000-8.

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, City Commission and site visit)

Commissioner Arnold Gaines – Yes (at City Commission meeting)

Commissioner Curtis Johnson Jr.- Yes (Both sides and site visit)

Commissioner Jeremiah Johnson – Yes (Applicant, residents and site visit)

Mayor Hudson – Yes (City Commission meeting, Planning Board and residents)

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 Preliminary Plat.

RECOMMENDATION:

Staff recommends Approval of the request with one (1) condition:

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

Questions of Staff:

The Commission inquired on the multistep process, concerns with potential flooding into Gator Trace, site containment, if the site plan will be attached to the final plat, engineering comments, and zoning. Mr. Gilmore briefly explained the process and read the advisory comments provided by engineering. Mr. Freeman explained the conditions that would require the plan to come back before the Board, the City review process, revised site plan, and final plat.

City Attorney Tanya Earley explained the processes that have taken place to this point and that an amended site plan will likely come back before the Commission at some point and asked that they consider that this is a preliminary and optional with the new process.

Question of the Applicant:

Dennis Murphy, Culpepper and Terpening, inquired as to why they are here and referenced ordinance 22-040.

City Attorney Earley explained the voluntary nature of the preliminary plat and explained the ordinance as this should have ended at the Planning Board. Clarification of the ordinance is needed moving forward.

Intervenor 1:

John Carrigan, Ross, Earle, Bonan and Carrigan, on behalf of the Highpoint HOA, inquired of staff on preliminary plat and code. Ms. Earley entered an objection for staff not to answer the question.

Intervenor 2:

David Earle, Ross, Earle, Bonan, and Carrigan on behalf of the Gator Trace

Master POA, inquired if the site plan reflects the offsite property use of a berm. Mr. Freeman commented that he does not recall.

Question of Staff:

Commissioner Gaines inquired if all the preliminary requirements had been met. Mr. Gilmore referred the question to engineering.

Mayor Hudson inquired of Ms. Earley if Mr. Andrews should be sworn in for testimony. Ms. Earley explained the process and made her recommendations.

Commissioner Gaines restated his question for planning staff clarification. Mr. Freeman answered the question posed.

Dennis Murphy presented evidence that preliminary plat requirements have been satisfied.

Questions of the Applicant:

The Commission inquired on the conditions and comments of the planning board. Mr. Murphy commented that they have satisfied the requirements set by the planning department.

Applicant Questions:

Mr. Carrigan inquired if the applicant remembered last year's quasi-judicial hearing, and changes that were made to the plat Mr. Murphy answered the questions posed by Mr. Carrigan.

Mr. Earle inquired if South Water Management and lease with St. Lucie County is forthcoming. Mr. Murphy explained the process.

Commission Questions of the Applicant:

Commissioner Curtis Johnson inquired on the print stamp date. Mr. Murphy explained the lack of print stamp date on the document.

John Carrigan presented the depiction of the preliminary plat and addressed three primary concerns to Highpoint.

Barb Campanile presented testimony on behalf of Highpoint.  
Cliff Savage presented testimony on behalf of Highpoint.

Commission Questions of Mr. Carrigan:

Commissioner Gaines requested clarification on what portion of the Ordinance was not completed by the applicant. Mr. Carrigan referenced Ordinance 22-040 amending section 121-10, plat specification.

Applicant Questions of:

Mr. Murphy inquired of Barb Campanile if any issues presented in her testimony are a result of the preliminary plat. Ms. Campanile explained the current issues with the lake level.

Mr. Murphy inquired of Cliff Savage if any issues presented in his testimony are a result of the preliminary plat. Mr. Savage explained past issues with flooding.

Intervenor 1 Questions of Intervenor 2:

None

Mr. Earle reserved for final argument.

Intervenor 2 Questions of Intervenor 1:

None

Public Comment:

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Mr. Murphy provided a closing argument regarding the date stamp and drainage concerns.

Mr. Carrigan provided a closing argument regarding the requirements not being met, specifically the date, and referenced concerns with drainage and the hogs.

Mr. Earle provided a closing argument asking for an updated site plan as a condition.

Comments of Staff:  
None

Mr. Murphy again inquired why he is here and asked that the plat be approved.

Commission Discussion:  
Commissioner Broderick inquired of Ms. Earley if the final plat may include an updated site plan. Ms. Earley commented that the request is out of scope for today's hearing.

Commissioner Curtis Johnson inquired if the plat would return to the Commission. Ms. Earley explained that it would as a final plat review and the likelihood of amended site plan.

Commissioner Gaines commented that the new ordinance did not require the applicant to provide a preliminary site plan and that a final site plan requires outside party approval.

Mr. Mimms commented that the concerns mentioned in testimony are not part of the site plan but part of building permit review and not provided during the site plan. Tonight, is specific to sub-dividing.

Ms. Earley clarified the purpose of the site plan and again reiterated the task at hand.

Mayor Hudson commented that protections must be satisfied before the building is built, that there are no adverse effects to the neighbors per policy, and their concerns are addressed.

Commissioner Jeremiah Johnson commented that protections are in place and addressed the processes in place.

Commissioner Gaines inquired of Ms. Earley the appropriate way to address the lack of date stamp. Ms. Earley commented that there must be time allotted for the applicant to address the date stamp and should be included as a condition of approval.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Michael Broderick to approve the Preliminary Plat with two conditions.

1. Applicant will submit date stamped Preliminary Plat within 30 days.
2. Prior to the submittal of the Final Plat, the applicant shall address all the City of Fort Pierce Engineering Comments on the Plat document.

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

Passed

- k. Quasi-Judicial Hearing - Review and Approval of an application for a Site Plan (Development and Design Review) by property owner, ABS Gas & Go, Inc., and representative, Sonia Gonzalez of The Permit Shop, to construct an approximately 5,590 square foot Gas Station, Convenience Store, and Retail Facility with associated site improvements at or near 3810 South US Highway 1 in Fort Pierce, Florida, more specifically located at Parcel Control Number: 2434-501-0035-000-1.

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:

Vennis Gilmore, Assistant Planning Director, presented the Site Plan application.

RECOMMENDATION:

Approval with the following conditions:

1. A completion certification by a landscape architect, cost estimate, and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.
2. 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 buffering requirement on the eastern border and conditions of connectivity. Mr. Gilmore explained that no buffer is required, just landscaping, and that the connecting roads are County and FDOT.

Commissioner Broderick inquired on the number and parking spaces.

Question of the Applicant:

Sonia Gonzalez and owner Abdo Akl had no questions of staff. Mr. Akl addressed the question posed by the Commission explaining the retention area, landscaping, and signage.

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

Commission Discussion:

Commissioner Curtis Johnson inquired on signage. Mr. Gilmore explained the process for signage moving forward.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve the Site Plan application with (2) conditions.

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

Other: Commissioner Arnold Gaines (ABSTAIN)

Passed

Commissioner Gaines abstained from voting to assure a fair proceeding since he was absent for a portion of the testimony.

- I. Quasi-Judicial Hearing - Review and Approval of an application for a Site Plan (Development and Design Review) by property owner, Bishop of Diocese of PB, and representative, Darren C. Guettler, P.E., to construct an approximately 6,000 square foot Field House Storage Facility with associated site improvements at or near 3822 Delaware Avenue in Fort Pierce, Florida, more specifically located at Parcel Control Number: 2408-324-0002-000-7.

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 – Yes (Residents)  
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 Site Plan application.

RECOMMENDATION:

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

1. A completion certification by a landscape architect, cost estimate, and landscape bond pursuant to City Code 123-6 shall be required before the Final Certificate of Occupancy is approved for the site.
2. 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:

None

Question of the Applicant:

Darren Guettler had no questions of staff.

Commissioner Johnson inquired about the septic tank. Mr. Guettler explained the septic tank current and future use.

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 Site Plan application 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-R40 appointing an Interim City Attorney.

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

RESOLUTION NO. 23-R40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, DESIGNATING AN INTERIM CITY ATTORNEY; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve Resolution No. 23-R40.

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

Passed

- b. Resolution 23-R42 authorizing the signature of a deed transferring city rights-of-way pursuant to an exchange agreement with St. Lucie County.

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

RESOLUTION NO. 23-R42

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA AUTHORIZING THE EXECUTION OF A DEED TRANSFERRING CERTAIN CITY RIGHTS-OF-WAY TO ST. LUCIE COUNTY; AUTHORIZING THE MAYOR, CITY CLERK, AND CITY ATTORNEY TO EXECUTE RELEVANT DOCUMENTS; AND PROVIDING FOR AN EFFECTIVE DATE

City Attorney Earley explained the purpose for the resolution.

City Clerk Linda Cox explained the benefits of processing exchange agreements this way moving forward.

Mr. Mimms listed the streets involved in the exchange agreements.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution 23-R42.

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

Passed

- c. Submittal of applications for the Fort Pierce Youth Council.

City Clerk Linda Cox explained the process and that it will be brought back to the Commission at the next meeting.

**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.

Rema Perry  
Jean Audouard

**15. COMMENTS FROM THE CITY MANAGER**

a. Reports

Mr. Mimms commented on conceptual site plans presented to the Commission and the part the staff executes.

Commissioner Jeremiah Johnson challenged staff to continue to think outside the box in relation to roads and drainage connectivity.

City Clerk Linda Cox – commented on the development process.

City Attorney Tanya Earley – Thanked the Commission for working with her.

Interim City Attorney Sara Hedges-Thanked the Commission for working with her.

**16. COMMENTS FROM THE COMMISSION**

Commissioner Broderick commented on the comments of Commissioner Jeremiah regarding drainage systems.

Commissioner Curtis Johnson commented on an unfortunate incident that happened during the meeting. Unity in the Community this Wednesday.

Commissioner Jeremiah Johnson thanked Mrs. Earley on her work for the City.

Commissioner Gaines commented on working with Mrs. Earley the concerns posed by the community during public comment and the recent City incidents.

Mayor Hudson thanked the members of the community that stayed for public comments and explained that they are being heard, commented on the consent agenda, City Managers Report and if a special meeting is scheduled.

Mr. Mimms and Ms. Cox confirmed that the Special Meeting is scheduled for August 1, 2023, and that the date will change if the Federal hearing is pushed back.

Commissioner Gaines commented that he desired the public to have a better understanding of the consent agenda.

**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 8:52 P.M.

ATTEST:

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CITY CLERK

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MAYOR COMMISSIONER