

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, APRIL 01, 2024.

1. CALL TO ORDER

Mayor Hudson called the April 01, 2024, Regular Meeting of the City Commission to order at 5:05 P.M.

2. OPENING PRAYER - Director of Administrative Services, Devoshay Johnson

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 Sara Hedges

5. APPROVAL OF MINUTES

- a. Approval of Minutes from March 18, 2024 Regular Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve the minutes of the March 18, 2024 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Functional Neurological Disorder Awareness Month

7. LETTERS TO COMMISSION

- a. Dianne S. McKee sent an email recognizing the following Public Works Parks & Grounds employees for their exceptional productivity and customer service skills: Chris Dimaio, Troy Hall, and Mike Bombulas.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Arnold Gaines to approve the Agenda.

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. Boys & Girls Clubs of St. Lucie County Youth of the Year Presentation

Will Armstead, CEO, Boys & Girls Club of St. Lucie County, presented the St. Lucie County Youth of the Year Enrique Rosario.

11. CONSENT AGENDA

- a. Approval of Specific Authorization No. 6 to RFQ 2019-027 for Professional Engineering Services for Kimley Horn & Associates, Inc for updates of the construction plans for 13th Street Improvements from Georgia Avenue to Orange Avenue in the amount of \$69,840.00.
- b. Approval of a piggyback agreement with Cintas for the purchase of AED machines and a service contract in the annual amount of \$15,048.00 for five years.
- c. Approval of letter of support to Governor Ron DeSantis of HB 1023, sponsored by Representative Dana Trabulsy, regarding inmate medical expenditures in an effort to effectively manage public funds.
- d. Approval of an Interlocal Agreement between the Fort Pierce Police Department, Saint Lucie County Sheriff's Office, Port Saint Lucie Police Department, Saint Lucie County Fire District, and Saint Lucie County for a shared Computer Aided Dispatch (CAD) and Records Management System (RMS).
- e. Approval of travel for Commissioner Curtis Johnson to attend the FLC IEMO II in Altamonte Springs, Florida from April 11, 2024, to April 13, 2024, in the amount of \$1042.74.

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

Quasi-Judicial Hearings follow a strict set of rules and procedures which can be found on the City's website using this link: <https://www.cityoffortpierce.com/DocumentCenter/View/6740/Quasi-Judicial-Procedures>. All Quasi-Judicial decisions by the City Commission must be based on competency substantial evidence. Competent substantial evidence is evidence which will establish a substantial basis from which the fact at issue can reasonably be inferred. It includes fact or opinion evidence offered by an expert on a matter that requires specialized knowledge and that is relevant to the issues to be decided. It is evidence a reasonable mind could accept as having probative weight and adequate to support a legal conclusion. Hypothetical, speculative, fear or emotion based generalized statements that do not address the relevant issues and that cannot be reasonably said to support the action advocated, are not competent substantial evidence.

- a. Legislative Hearing - Ordinance 23-057 - An ordinance amending the code of ordinances 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 the northeast corner of Selvitz Road and Devine road and west of Christensen road, from low density residential, RL, to mixed use development, MXD. Parcel ID's: 2432-211-0006-000-3, 2432-211-0005-000-6, and 2432-343-0001-000-4 -
SECOND READING

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

ORDINANCE NO. 23-057

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 THREE (3) PARCELS GENERALLY LOCATED AT OR NEAR THE NORTHEAST CORNER OF SELVITZ ROAD AND DEVINE ROAD AND APPROXIMATELY 1600 FEET NORTH OF DEVINE ROAD, FROM CITY OF FORT PIERCE (RL) LOW DENSITY RESIDENTIAL TO CITY OF FORT PIERCE (MXD) MIXED USE DEVELOPMENT; PROVIDING FOR A SEVERABILITY CLAUSE; PROVIDING FOR REPEAL OF ORDINANCES OR PARTS THEREOF IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE. SECOND READING

Staff Presentation:

Vennis Gilmore, Assistant Planning Director, presented the ordinance amending the code of ordinances 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 the northeast corner of Selvitz Road and Devine Road and west of Christensen Road, from low density residential, RL, to mixed-use development, MXD.

RECOMMENDATION:

Staff recommends that the City Commission ADOPT the proposed FLUMA and authorize the Planning Director to notify the Department of Commerce of the action.

Questions of Staff

The Commission inquired on County recommendations and the interpretation of specific comments in the application.

Kevin Freeman, Planning Director, commented on the two applications that will be presented and clarified the proposed development program based on the analysis for best use.

Mayor Hudson opened the public hearing.

Dan Sorrow, Coteleur & Hearing, provided additional information on the application and the change to MXD land use.

Jane Rowley -Consider the proposed use.

Mickey Sigmon- Consider the proposed use.

Jill Sunderland - Consider the proposed use.

Gabriele Klaesen- Consider the proposed use.

Mayor Hudson closed the public hearing.

Commission Discussion:

The Commission commented on the twelve driveways, the conditions of the road, mixed-use, traffic, the next steps if future land use does not pass, and other possible land uses.

Mr. Freeman explained the outcome if future land use does not pass and other possible land uses as the applicant had proposed other uses.

Mr. Mimms recommended Mr. Freeman review the additional proposed uses with the Commission.

Mr. Freeman explained the additional options, including leaving it with the current land use and the current legislature.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Ordinance No. 23-057.

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

NAY: Commissioner Jeremiah Johnson

Passed

- b. Legislative Hearing - Ordinance 23-058 - 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 three (3) parcels containing approximately 122.8 acres and being generally located at or near the northeast corner of Selvitz Road and Devine road and west of Christensen road in Fort Pierce, Florida;
Subject property: Parcel ID(s): [2432-211-0006-000-3](#), [2432-211-0005-000-6](#), [2432-343-0001-000-4](#) - SECOND READING

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

ORDINANCE NO. 23-058

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE; AMENDING THE CITY'S ZONING ATLAS FROM (R-1) SINGLE-FAMILY LOW DENSITY ZONE AND ESTABLISHING A ZONING DESIGNATION OF (PD) PLANNED DEVELOPMENT FOR THREE (3) PARCELS containing approximately 122.8 acres and being LOCATED AT OR NEAR THE NORTHEAST CORNER OF SELVITZ ROAD AND DEVINE ROAD AND APPROXIMATELY 1600 FEET NORTH OF DEVINE 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

Motion was made by Commissioner Curtis Johnson, seconded by Commissioner Broderick to continue for sixty days for staff review.

Motion was withdrawn.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to revisit Ordinance No. 23-058 with up to (60) sixty days for staff review.

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

Passed

- c. Legislative Hearing - Ordinance 24-001, Amending Chapter 103, Division I, Section 103-24, Subsection (a), providing Local Administrative Amendments to the 8th Ed. Florida Building Code with regard to Scope and Administration. SECOND READING

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

ORDINANCE NO. 24-001

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING CHAPTER 103, DIVISION I, SECTION 103-24, SUBSECTION (a) TO PROVIDE FOR LOCAL ADMINISTRATIVE AMENDMENTS TO THE FLORIDA BUILDING CODE (FBC), 8TH EDITION (2023) IN THE CODE OF ORDINANCES; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SEVERABILITY CLAUSE; 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. 24-001.

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

Passed

- d. Legislative Hearing - Ordinance 24-004 providing for a Zoning Atlas Map Amendment by owner Ubilla-Duque Holdings, LLC., of one (1) parcel of land to change "Area 1" zoning classification from Commercial, General CG, to General Commercial, C-3, and "Area 2" zoning classification from Residential Multi-Familu (RM-11), to Residential High (R-5) generally located at 3307 S US Hwy 1 Fort Pierce, FL 34982. Parcel IDs: 2427-601-0050-000-7. SECOND READING

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

ORDINANCE NO. 24-004

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, REZONING A TOTAL OF +/- 3.72 ACRES OF PROPERTY GENERALLY LOCATED AT OR NEAR 3307 S US HWY 1 IN ORDER TO REZONE +/-2.66 ACRES ("AREA 1") OF THE PROPERTY FROM COUNTY ZONING OF COMMERCIAL, GENERAL (CG) TO CITY ZONING OF GENERAL COMMERCIAL (C-3) AND TO REZONE +/- 1.05 ACRES ("AREA 2") OF THE PROPERTY FROM COUNTY ZONING OF RESIDENTIAL MULTI-FAMILY (RM-11) TO RESIDENTIAL HIGH (R-5); 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. 24-004.

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

Passed

- e. Legislative Hearing - Ordinance 24-005: Review and approval of a voluntary annexation by Owner, Harry Blue, to extend the territorial limits of the City of Fort Pierce, Florida, to include four (4) parcels at or near the southwest intersection of South 7th Street and Kanner Drive on Duban Terrace. The proposed Future Land Use for the proposed properties is RH, High Density Residential, with a proposed zoning of R-4, Medium Density Residential. Parcel IDs: 2427-603-0135-000-3, 2427-603-0136-000-0, 2427-603-0104-000-7 and 2427-603-0134-000-6. SECOND READING

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

ORDINANCE NO. 24-005

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE FOUR (4) PARCELS AT OR NEAR SOUTHWEST OF THE INTERSECTION OF S. 7TH STREET AND KANNER DRIVE ON DUBAN TERRACE, PARCEL IDS: 2427-603-0135-000-3, 2427-603-0136-000-0, 2427-603-0104-000-7 and 2427-603-0134-000-6, 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 Arnold Gaines, seconded by Commissioner Jeremiah Johnson to approve Ordinance No. 24-005.

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

Passed

- f. Legislative Hearing - Ordinance 24-003 Establishing the Sunrise Community Development District. FIRST READING

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

ORDINANCE NO. 24-003

AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING THE SUNRISE COMMUNITY DEVELOPMENT DISTRICT PURSUANT TO CHAPTER 190, FLORIDA STATUTES; PROVIDING FOR THE NAME, POWERS, AND DUTIES; PROVIDING FOR DESCRIPTION AND BOUNDARIES; DESIGNATING FIVE PERSONS TO SERVE AS THE INITIAL MEMBERS OF THE DISTRICT'S BOARD OF SUPERVISORS; PROVIDING NOTICE OF REQUIREMENTS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ORDINANCES OR PARTS THEREOF IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

The proposed CDD is designed to provide a financing mechanism, as well as a long-term operation and maintenance entity, for community infrastructure and

services, including but not limited to, the funding and construction of parks and facilities for indoor and outdoor recreational, cultural and educational uses, and security for the site, including but not limited to guardhouses, fences, gates, etc. as authorized and described by Section 190.012(2), Florida Statutes.

RECOMMENDATION:
Adopt Ordinance 24-003

Mayor Hudson opened the public hearing.

Jere Earlywine, Kutak Rock LLP, provided a summary of the community development district.

Mayor Hudson closed the public hearing.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No. 24-003.

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

Passed

- g. Legislative Hearing - Ordinance 24-006 Amending the Code of Ordinances of the City of Fort Pierce, Chapter 125 - Zoning, Article VII - Supplementary Regulations, Division 1 - Generally, Section 125-322, Fences, Walls, and Hedges; Installation, Replacement and Maintenance, to allow fences greater than 6ft in height to be erected adjacent to Railroad or Railroad Right-of-Way. FIRST READING.

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

ORDINANCE NO. 24-006
AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 125 – ZONING, ARTICLE VII. – SUPPLEMENTARY REGULATIONS, DIVISION 1. GENERALLY, SECTION 125-322. FENCES, WALLS, AND HEDGES; INSTALLATION, REPLACEMENT AND MAINTENANCE, TO ALLOW FENCES GREATER THAN SIX FEET IN HEIGHT TO BE ERECTED ADJACENT TO RAILROAD OR RAILROAD RIGHT OF WAY; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

A proposed amendment to allow fences up to 8 feet in height on the rear yard boundary adjacent to railway lines or railroad ROW.
At its March 11th meeting, the Planning Board recommended that the increased height be permitted at the rear property line adjacent to Railroad Right-of-Way only. The proposed code change has been amended accordingly.

The proposed text amendment:

(5) Unless otherwise prohibited by overlay district requirements, properties abutting a railway line or railroad right of way may erect a fence of up to eight (8) feet in height along the rear property line only. The maximum height for fences within the side and front yard setback shall remain as provided within this section.

RECOMMENDATION:
Staff recommend APPROVAL of this proposed amendment to Sec. 125-322.

Kevin Freeman, Planning Director, presented the amendment allowing for 8-foot fences in conjunction with a railway.

Commissioner Curtis Johnson inquired on the material of the proposed fencing.

Mr. Freeman commented that the type of material was not specified.

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. 24-006.

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

Passed

- h. Legislative Hearing - Ordinance 24-007 - Amending the Code of Ordinances of the City of Fort Pierce at Chapter 123 - Vegetation, Section 123-6 - Required Bond, to remove the requirement for a Landscape Bond and to require the approval of a Landscape Maintenance Agreement; and to amend section 123-7, - Enforcement, to require an annual landscape inspection. FIRST READING.

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

ORDINANCE NO. 24-007

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 123 – VEGETATION, SECTION 123-6. - REQUIRED BOND, TO REMOVE THE REQUIREMENT FOR A LANDSCAPE BOND AND TO REQUIRE THE APPROVAL OF A LANDSCAPE MAINTENANCE AGREEMENT; AND TO AMEND SECTION 123- 7, - ENFORCEMENT TO REQUIRE AN ANNUAL LANDSCAPE INSPECTION; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Kevin Freeman, Planning Director, presented the proposed amendment.

It is therefore proposed to remove the requirement for a Landscape Bond and replace the requirement with a Landscape Maintenance Agreement. The Landscape Maintenance Agreement shall be attached to the approved Landscape Plan and shall note that all approved landscaping shall be installed, irrigated, and maintained in perpetuity in accordance with section 123-37, in order that it continues to present a healthy, neat, and orderly appearance free of refuse and debris, in conformity with the following requirements:

- a. Vegetation required by this article shall be replaced with equivalent or better vegetation if it is not living. All trees for which credit is awarded and which subsequently die shall be replaced by the same or greater number of living trees according to the standards established in this article.
- b. Maintenance shall include sufficient weeding, watering, fertilizing, pruning, mowing, edging, mulching and other horticultural practices to ensure that the landscaping continues to maintain a healthy, neat, and orderly appearance.

The Landscape Maintenance Agreement for required landscaping shall be approved by the Planning Department prior to issuance of a certificate of occupancy (CO).

The Planning Department will undertake annual inspections of major landscaping installations on an annual basis.

RECOMMENDATION:

Staff recommend APPROVAL of the proposed amendment to the City Code of Ordinances at Sec. 123-6.

Mayor Hudson commented that she appreciated that this was brought before the Commission and requested clarification on the annual monitoring component.

Commissioner Jeremiah Johnson inquired if the application attached to the landscape plan come back before the Commission and requested clarification on an amendment to the application and language on whom is designated to evaluate concerns.

Mr. Freeman provided clarification on the purpose of an amendment to the application.

Ms. Hedges commented that violations will go before the Magistrate.

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. 24-007.

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

Passed

- i. Legislative Hearing - Ordinance 24-008 Amending the Code of Ordinances of the City of Fort Pierce, Chapter 125 - Zoning, Article VII - Supplementary Regulations, Division 1 - Generally, Section 125-313 - Major and Minor Site Plan Application, to increase the threshold for Minor Site Plan. FIRST READING.

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

ORDINANCE NO. 24-008

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 125 – ZONING, ARTICLE VII – SUPPLEMENTARY REGULATIONS, DIVISION 1 – GENERALLY, SECTION 125-313 – MAJOR AND MINOR SITE PLAN APPLICATION TO INCREASE THE THRESHOLD FOR MINOR SITE PLANS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; AND PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Kevin Freeman, Planning Director, presented the proposed amendment.

A proposed amendment to increase administrative thresholds for site plan review of Residential, Mixed-Use and Commercial Development.

The City Commission, based on recommendations of the Development Review Task Force, directed staff at the October 9th, 2023, City Commission Conference meeting, to propose an amendment to the major/minor site plan application thresholds such that Major Site plans will be considered as:

- a. A residential project which exceeds 50 (existing code=20) total dwelling units; or
- b. A non-residential or mixed-use development over 10,000 (existing code =4,000) square feet in area.

Thus increasing the thresholds for minor site plans.

RECOMMENDATION:

Staff recommend APPROVAL of the amendment to Sec. 125-313.

Commissioner Broderick commented on his confidence in moving forward with the proposed amendment.

Commissioner Jeremiah Johnson on the efficacy of the proposed amendment.

Mayor Hudson commented that the City is ready for this now as it offers balance.

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. 24-008.

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

Passed

- j. Legislative Hearing - Ordinance 24-009 - Final Budget Amendment of the FY 2022-23 General Fund Budget. FIRST READING

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

ORDINANCE NO. 24-009

AN ORDINANCE AMENDING THE 2022-23 BUDGET OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE ATTACHED HERETO AND DESIGNATED AS THE 2022-23 FINAL BUDGET AMENDMENT; THE SAID SCHEDULE PROVIDES FOR THE INCREASES AND/OR DECREASES IN REVENUES AND APPROPRIATIONS IN THE GENERAL FUND; PROVIDING FOR SEVERABILITY; PROVIDING FOR REPEAL OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR AN EFFECTIVE DATE.FIRST READING

SUMMARY:

Johnna Morris, Finance Director, presented the proposed budget amendment.

The General Fund budget is being amended to adjust budgeted revenues and expenditures to the final actual figures.

RECOMMENDATION:

City Commission approve the budget amendment ordinance.

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. 24-009.

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

Passed

13. CITY COMMISSION

- a. Resolution 24-R12 authorizing the execution of the sale and development agreement for 706 N. 20th Street

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

RESOLUTION NO. 24-R12

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 706 NORTH 20TH STREET, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS;; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

The City of Fort Pierce is the owner of real property located at 706 N 20th Street, identified by Parcel IDs: 2404-715-0019-000-7, with a legal description of: AMENDED PLAT OF WASHINGTON HEIGHTS ADDN LOT 17.

The property was declared surplus by the City on April 19, 2021, via Resolution 21R-18. The City Commission awarded the property on February 5, 2024, to Sunrise City Concrete Services, Inc for the development of a 3 bedroom 2 bathroom single family home. The purchase price is \$3,000.00.

RECOMMENDATION:

Staff recommends approval to execute the Surplus Property Sale Agreement for 706 N 20th Street.

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 24-R12.

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

Passed

- b. Resolution 24-R13 authorizing the execution of the sale agreement for 1204 Avenue E.

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

RESOLUTION NO. 24-R13

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 1204 AVENUE E, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS; AND PROVIDING AN EFFECTIVE DATE.

The City of Fort Pierce is the owner of real property located at 1204 Avenue E, identified by Parcel IDs: 2404-823-0007-050-7, with a legal description of: WALLACE`S S/D E 86 FT OF LOT 8-LESS N 150 FT AND LESS S 5 FT- (OR 4080-2366).

The property was declared surplus by the City on January 19, 2021, via Resolution 21R-10. The City Commission awarded the property on February 5, 2024, to Telco Investments, LLC for the development of a 3-bedroom, 2-bathroom four plex multifamily home. The purchase price is \$25,000.00.

RECOMMENDATION:

Staff recommends approval to execute the Surplus Property Development Agreement for 1204 Avenue E.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Resolution No. 24-R13.

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

Passed

- c. Resolution 24-R14 authorizing the execution of the sale agreement of 1620 Avenue E.

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

RESOLUTION NO. 24-R14

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 1620 AVENUE E, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC; DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; AND PROVIDING AN EFFECTIVE DATE.

The City of Fort Pierce is the owner of real property located at 1620 Avenue E, identified by Parcel IDs: 2404-816-0003-000-2, with a legal description of: HIGHLAND PARK RE-S/D BLK 1 LOT 3(OR 3675-2391).

The property was declared surplus by the City on January 19, 2021, via Resolution 21R-10. The City Commission awarded the property on February 5, 2024, to Sunrise City Concrete Services, Inc for the development of a 3-bedroom 2 bath single family home. The purchase price is \$3,000.00.

RECOMMENDATION:

Staff recommends approval to execute the Surplus Property Sale Agreement for 1620 Avenue E.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 24-R14.

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

Passed

- d. Resolution 24R-15 authorizing the execution of the sale and development agreement for 604 S. 6th Street.

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

RESOLUTION NO. 24-R15

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, DETERMINING THE TRANSFER OF THE REAL PROPERTY COMMONLY KNOWN AS 604 SOUTH 6TH STREET, FORT PIERCE, FLORIDA, PREVIOUSLY DECLARED AS SURPLUS PROPERTY TO BE IN THE BEST INTEREST OF THE PUBLIC;

DETERMINING THAT A BID FOR THE REAL PROPERTY FROM A THIRD PARTY PURCHASER FOR VALUE TO BE IN THE PUBLIC INTEREST, AND AUTHORIZING AND DIRECTING THE OFFICERS, ATTORNEYS AND AGENTS OF THE CITY OF FORT PIERCE TO TAKE ALL ACTIONS NECESSARY TO CARRY OUT TRANSACTIONS; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND PROVIDING FOR AN EFFECTIVE DATE.

The City of Fort Pierce is the owner of real property located at 604 S 6th Street, identified by Parcel ID: 2410-715-0010-000-3, with a legal description of: WOODBINE S/D LOT 10 (MAP 24/10F) (OR 3675-2391).

The property was declared surplus by the City on January 19, 2021, via Resolution 21R-10. The City Commission awarded the property on February 5, 2024, to Joe John McVey for the development of a 2 bedroom 1 bathroom single family home.

The purchase price is \$15,000.00.

RECOMMENDATION:

Staff recommends approval to execute the Surplus Property Development Agreement for 604 S. 6th Street.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 24-R15.

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

Passed

- e. Resolution 24-R17 appointing a member to the Keep Fort Pierce Beautiful Board to fill an at-large vacancy.

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

RESOLUTION NO. 23-R17

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

Ms. Cox distributed ballots for Commission votes.

She read the ballots into the record.

Commissioner Gaines – Wesley Sands

Commissioner Jeremiah Johnson – Renella Mitchell

Mayor Hudson- Renella Mitchell

Commissioner Curtis Johnson – Renella Mitchell

Commissioner Broderick - Renella Mitchell

Motion was made by Commissioner Jeremiah Johnson, seconded by Commissioner Curtis Johnson, Jr. to appoint Renella Mitchell to the Keep Fort Pierce Beautiful Board.

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

Passed

- f. Resolution 24-R20 addressing a request for an extension to comply with the terms of the Quit Claim Deed for 133 N 10th Street.

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

RESOLUTION 24-R20

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, MAKING A DETERMINATION REGARDING THE REQUEST OF JOHN D. BESS AND BRENDA V. SMITH. FOR AN EXTENSION OF TIME TO COMPLY WITH TERMS OF A QUIT CLAIM DEED FOR 133 N 10TH STREET, FORT PIERCE; PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL RESOLUTIONS IN CONFLICT HEREWITH; PROVIDING AN EFFECTIVE DATE.

Mr. Mimms explained the request for a 120-day extension by Mr. Bess.

Commissioner Gaines inquired if this was the first request for an extension.

Commissioner Broderick commented on the significant movement made by Mr. Bess.

Commissioner Curtis Johnson inquired on what is being settled.

Miriam Garcia, Redevelopment Specialist explained that this is the first request for an extension and had provided plan updates and that they did not meet the deed restriction on the revert clause.

John Bess and Brenda Smith commented on the current project process.

Commissioner Jeremiah Johnson inquired on the taxes.

Mr. Bess commented that the taxes were paid the day after receipt.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No. 24-R20 giving up to 120 days extension.

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

Passed

- g. Resolution 24-R21 approving the FY 2023 Final Budget Amendment for Grant Funds.

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

RESOLUTION NO. 24-R21

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; APPROVING THE FINAL BUDGET AMENDMENT FOR CITY OF FORT PIERCE GRANT FUNDS FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2022 AND ENDING SEPTEMBER 30, 2023; AND PROVIDING FOR AN EFFECTIVE DATE.

Johnna Morris, Finance Director, was available for questions.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve Resolution No. 24-R21.

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

Passed

- h. Resolution 24-R23 appointing members to the Affordable Housing Advisory Committee (AHAC)

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

RESOLUTION NO. 24-R23

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE APPOINTMENT OF MEMBERS TO THE AFFORDABLE HOUSING ADVISORY COMMITTEE; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Jeremiah Johnson to approve Resolution No. 24-R23.

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.

Kris Einstein

15. COMMENTS FROM THE CITY MANAGER

City Manager Nick Mimms commented on the items on the upcoming conference agenda, including infill development.

City Clerk Linda Cox - No comments

City Attorney Sara Hedges - No comments

- a. Reports

16. COMMENTS FROM THE COMMISSION

Commissioner Broderick – No comments

Commissioner Curtis Johnson – No comments

Commissioner Gaines commented on concerns with the Rebuild Florida program.

Commissioner Jeremiah Johnson commented on the Historic Preservation Board and the Edgar Town Ordinance changes and Quasi Judicial concerns and National Student Government Day/ Week observance.

Mayor Hudson commented on the Zora Neal Hurston Festival.

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 8:06 P.M.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER