

MINUTES OF A REGULAR MEETING OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, HELD IN THE CITY HALL COMMISSION CHAMBERS, 100 NORTH U.S. #1, FORT PIERCE, FLORIDA, AT 5:05 P.M. ON MONDAY, MARCH 03, 2025.

1. CALL TO ORDER

Mayor Hudson called the March 03, 2025 Regular Meeting of the City Commission to order at 5:05 P.M

2. OPENING PRAYER - Dr. Rick Carraway with Life Changing Ministries for Jesus Inc

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

Present: Commissioner Arnold Gaines; Commissioner Curtis Johnson, Jr.; Mayor Linda Hudson; Commissioner James Taylor

Absent: Commissioner Michael Broderick

Staff Present: City Clerk Linda Cox
Interim City Manager Devoshay Johnson
City Attorney Sara Hedges

City Clerk, Linda Cox notified, the Commission of Commissioner Broderick's absence.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to excuse the absence of Commissioner Broderick.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

5. APPROVAL OF MINUTES

a. Approval of Minutes from February 18, 2025 Regular Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the minutes of the February 18, 2025 Regular Meeting.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

b. Approval of Minutes from February 19, 2025 Special Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve the minutes of the February 19, 2025 Special Meeting.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

6. PROCLAMATIONS

a. Flood Awareness Week Proclamation

b. Arbor Day Proclamation

7. LETTERS TO COMMISSION

a. Correspondence from Michael Sickenius commending Public Works employee Collin Sibley for his excellent work at Jaycee Park.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner James Taylor to approve the agenda as set.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

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

11. CONSENT AGENDA

a. Approval of the amended interlocal agreement for the Downtown Fort Pierce Smart City Initiative.

b. Approval of travel for Commissioner Johnson to attend the St. Lucie County Legislative Conference in Tallahassee, Florida from April 01, 2025, to April 03, 2025, in the amount of \$1838.41.

c. Approval of Piggyback Agreement with Mastec for the IRD Electrical Relocation portion of Bid No. 2024-016 in the amount not to exceed \$194,740.94.

Commissioner Gaines pulled item 11b of the consent agenda.

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

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

As to item 11b

Commissioner Gaines explained the benefits of attending legislative conferences.

Commissioner Johnson commented on the responsibilities of the Commission and the impact of the legislation that takes place in Tallahassee.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve item 11b of the consent agenda.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

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. Quasi-Judicial Hearing - Ordinance 25-003: Review and approval of a proposed amendment to the City's Code of Ordinances of the City of Fort Pierce, Florida, at Chapter 125-Zoning, Article III - Establishment of Zones, Section 125-157 - Designation of Overlay Districts, creating Subsection (3) - Port Overlay District, to establish the Port Overlay District (POD) and Port Overlay District Areas (PODA); Providing for a severability clause, repealing all ordinances or parts thereof in conflict, providing for an effective date. FIRST READING.

Mayor Linda Hudson asked all present to listen carefully to what City Attorney Sara Hedges would read regarding Quasi-Judicial Hearings.

Sara Hedges, City Attorney, reviewed the quasi-judicial hearing rules and procedures.

Mayor Linda Hudson called the proceeding to order.

City Clerk, Linda Cox confirmed that the City complied with the advertisement and notice requirements.

Commissioner Gaines – Residents, County staff, and email.
Commissioner Johnson – Residents, County staff, and email.
Commissioner Taylor – Residents, County staff, and email.
Mayor Hudson – Residents, County staff, and email.

City Clerk, Linda Cox, swore in those wanting to speak during the Quasi-Judicial hearing and introduced the Ordinance, read by title only, into the record.

ORDINANCE NO. 25-003

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF FORT PIERCE, FLORIDA, CHAPTER 125 ZONING, ARTICLE III – ESTABLISHMENT OF ZONES, SECTION 125-157 – DESIGNATION OF OVERLAY DISTRICTS, CREATING SUBSECTION (3) – PORT OVERLAY DISTRICT, TO CREATE AND ESTABLISH THE PORT OVERLAY DISTRICT (POD); PROVIDING FOR A SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES OR PARTS THEREOF IN CONFLICT; PROVIDING FOR AN EFFECTIVE DATE. FIRST READING

Staff Presentation:

Kevin Freeman, Planning Director, presented the proposed amendment to the City's Code of Ordinances of the City of Fort Pierce, Florida, at Chapter 125-Zoning, Article III - Establishment of Zones, Section 125-157 - Designation of Overlay Districts, creating Subsection (3) - Port Overlay District, to establish the Port Overlay District (POD) and Port Overlay District Areas (PODA).

Staff recommend APPROVAL of Ordinance 25-003 to establish the Port Overlay District.

Commission questions of staff:

The Commission inquired about permitted lodging use, conditional use, owner feedback and suggestions, the addition of seaport in the language, zoning, land use and county involvement, clean port and industry, and competing interests.

Mr. Freeman commented on the range of uses, definitions and permitted use, operations within the application, and owner and County feedback.

Mayor Hudson opened the public hearing.

Christina Bell
Joshua Revord
Delores Hogan- Johnson
Ken Pruitt
Hans Van Zonneveld
Charles Grande
John Parry
Jack McCulley

Mayor Hudson closed the public hearing.

The Commission discussed operations, fast track, conditional use, timeframes, as well as the feedback provided by the public.

Ms. Hedges commented on the rules, approving with amendments, and explained the non-traditional nature of this quasi-judicial hearing.

Mayor Hudson opened the proceedings up for questions of staff.

Questions of Staff:

Mr. Freeman commented on the question posed by Commissioner Taylor on the application process and timeframes and commented on staff scheduling the item as a new first reading to include all interested parties.

The Commission discussed the best way to move forward, including the item returning as a first reading with the necessary amendments based on all of the feedback and tabling to a date certain.

Ms. Hedges provided the options available as continuance or tabling the item.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner James Taylor to table and rehear as a first reading.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

- b. Legislative Hearing - Ordinance 25-006 Establishing the Symphony Lakes Community Development District. SECOND READING

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

ORDINANCE NO. 25-006
AN ORDINANCE OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, ESTABLISHING THE SYMPHONY LAKES 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. 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 Curtis Johnson, Jr.

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

Passed

- c. Legislative Hearing - Ordinance 25-012 - Review and approval for a Voluntary Annexation by applicant Transamerica Construction Company and Culpepper & Terpening, Inc, to extend the territorial limits of the City of Fort Pierce, Florida, to include one (1) parcel at or near the intersection of South Market Ave and Oleander Avenue; Parcel ID: 2434-601-0062-000-6. - SECOND READING

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

ORDINANCE NO. 25-012

AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE ONE (1) PARCEL AT OR NEAR THE INTERSECTION OF SOUTH MARKET AVENUE AND OLEANDER AVENUE 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, 2025; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; ESTABLISHING ZONING CLASSIFICATION; ESTABLISHING 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., to approve Ordinance No. 25-012.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

- d. Legislative Hearing - Ordinance 25-013: Review and approval of an amendment to the City's Zoning Atlas to rezone six (6) parcels generally located on Energy Lane and containing approximately 108.78-acres from Light Industrial (I-1) to Planned Development (PD). SECOND READING.

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

ORDINANCE NO. 25-013

AN ORDINANCE BY THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; AMENDING THE CITY'S ZONING ATLAS AND REZONING SIX (6) PARCELS GENERALLY LOCATED AT OR NEAR ENERGY LANE CONTAINING APPROXIMATELY 108.38 ACRES OF LAND, MORE OR LESS, FROM LIGHT INDUSTRIAL (I-1) 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 Curtis Johnson, Jr. to approve Ordinance No. 25-013.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

13. CITY COMMISSION

- a. Resolution 25-R18 Designating an Interim City Manager

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

RESOLUTION NO. 25-R18

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA; DESIGNATING DEVOSHAY JOHNSON AS INTERIM CITY MANAGER; PROVIDING FOR AN EFFECTIVE DATE.

Ms. Hedges commented on the general rule for a ten percent increase.

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. To approve Resolution No. 25-R18 with a ten percent pay increase.

AYE: Commissioner Arnold Gaines, Commissioner Curtis Johnson, Jr., Mayor Linda Hudson, Commissioner James Taylor

Passed

- b. Discussion regarding City Manager contract.

Ms. Hedges commented on the specifics of the employment contract and requested Commission input on changes, salary terms, and Commissioner Broderick's input.

The Commission discussed living and moving expenses and memberships.

Johnna Morris, Finance Director, commented on the memberships requested by Mr. Chess and the necessity based on the Commission's determination.

Jared Sorenson, HR Director, commented on the previous City Manager salary and clarified the salary range.

Ms. Hedges inquired on consensus on whether to provide Commissioner Broderick's input.

Consensus was made by the Commission to hear Commissioner Broderick's input.

Ms. Hedges provided Commissioner Broderick's input.

14. COMMENTS FROM THE PUBLIC

Any person who wishes to comment on any subject may be heard at this time. Please limit your comments to three (3) minutes or less, as directed by the Mayor, as this section of the Agenda is limited to thirty minutes. The City Commission will not be able to take any official actions under Comments from the Public. Speakers will address the Mayor, Commissioners, and the Public with respect. Inappropriate language will not be tolerated.

No comments

15. COMMENTS FROM THE CITY MANAGER

a. Reports

Interim City Manager, Devoshay Johnson, commented on the Marina Tiki Taxi, Bistro parking has been paved and is operational, registration for the Fire Hawks, beach renourishment, and thanked everyone for their vote of confidence.

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines commented on North Side's opening day Saturday and the Great American Clean-up.

Commissioner Taylor commented on the St. Lucie County Fair.

Mayor Hudson reminded the Commission about the auditors for the City.

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 Hudson adjourned the meeting at 8:40 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER