

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 07, 2025.

1. CALL TO ORDER

Mayor Hudson called the April 07, 2025 Regular Meeting of the City Commission to order at 5:05 P.M

2. OPENING PRAYER - Assistant Pastor Jordan Good with Bible Baptist Church

3. PLEDGE OF ALLEGIANCE

4. ROLL CALL

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

Staff Present: City Clerk Linda Cox
City Manager Richard Chess
City Attorney Sara Hedges

5. APPROVAL OF MINUTES

- a. Approval of the Minutes from the March 17, 2025, Regular Meeting.

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Michael Broderick to approve the Minutes of the March 17, 2025 Regular Meeting.

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

Passed

6. PROCLAMATIONS

- a. Sexual Assault Awareness Month

7. LETTERS TO COMMISSION

- a. Michael Sickenius expressed his appreciation for the Building Department's professionalism and helpfulness in resolving issues with the Seascape buildings at Ocean Village.

8. ADDITIONS OR DELETIONS TO AGENDA AND APPROVAL OF AGENDA

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

AYE: Commissioner Michael Broderick, 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.

Rick Reed
Chris Gardner
Chris Higgins
Kris Einstein
Gus Guterrez
Erin O'Brien

10. MISCELLANEOUS REPORTS

11. CONSENT AGENDA

- a. Approval of Change Order 1 for Specific Authorization 7 to EDC, Inc. in the amount of \$4,800.00 to complete the design services for Avenue D from US 1 to Indian River Drive to reflect citizen input and design changes.
- b. Approval of award of the Little Jim Camp Sanitary Improvements to the low bidder, R.K. Contractors, Inc., in an amount not to exceed \$390,648.22.
- c. Approval of an Agreement between the City of Fort Pierce and Lincoln Park Main Street, Inc. to provide services from October 1, 2024, to September 30, 2025, for an amount not to exceed \$50,000.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve item 11a of the Consent Agenda.

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

Passed

Commissioner Broderick pulled items 11b and 11c.

As to item 11b

Commissioner Taylor recused himself and provided the required form.

The Commission commented on the significant investment to a City-owned property into a private enterprise, inquired on the availability for grants to cover costs, and how this will be managed.

Jack Andrews, Deputy City Manager, commented on the funds that were received from Build Back America, and that the project will be managed by the Engineering Department.

Johnna Morris, Finance Director, confirmed that grant funds were earmarked for this project.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve item 11b of the Consent Agenda.

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

Other: Commissioner James Taylor (ABSTAIN)

Passed

As to item 11c

Commissioner Broderick commented on an in-depth discussion that should take place regarding funding outside organizations.

Mayor Hudson provided a historical perspective on funding of the Mainstreet programs, how it contributes to economic development, and how the City budget is affected.

The Commission requested that funded organizations have specific criteria and commented on Mainstreet Fort Pierce's track record, inquired who manages the program, the desire for quarterly updates, and Commissioners serving on these Boards.

Mr. Chess commented that the City Manager's office and Audria Moore, Special Projects Coordinator, who oversee the program, and can provide updates.

Ms. Hedges commented on the request to change to quarterly updates and discussion with Lincoln Park Mainstreet, clarified the deliverables, and commented on the ethics of Commissioners on Boards.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve item 11c with the change to quarterly report updates.

AYE: Commissioner Michael Broderick, 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. Legislative Hearing - Ordinance 25-017 - Final Budget Amendment of the FY 2023-24 General Fund Budget. SECOND READING

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

ORDINANCE NO. 25-017

AN ORDINANCE AMENDING THE 2023-24 BUDGET OF THE CITY OF FORT PIERCE, FLORIDA BY INSERTING THEREIN A SCHEDULE ATTACHED HERETO AND DESIGNATED AS THE 2023-24 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. SECOND READING

Motion was made by Commissioner Curtis Johnson, Jr., seconded by Commissioner Arnold Gaines to approve Ordinance No. 25-017.

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

Passed

- b. Quasi-Judicial Hearing - Review and approval of an application for a Site Plan (Development Review), submitted by applicant Cotleur & Hearing, to construct a ninety-four (94) unit fee simple townhome community located at 4601 Regina Dr., more specifically at Parcel ID: 3403-501-025-000-5.

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 Broderick - No
Commissioner Gaines – No
Commissioner Johnson – No
Commissioner Taylor – No
Mayor Hudson – No

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.

Staff Presentation:

Kerry Driver, Senior Planner presented the review and approval of an application for a Site Plan (Development Review).

RECOMMENDATION:

According to the City Code Sec. 125-194 and 125-313, staff has confirmed that the proposed application meets the requirements.

At the March 10th PB meeting, it was voted 6-0 in favor of approving the site plan. Therefore, staff is recommending that the CC align with the PB and APPROVE the site plan with the following six (6) conditions:

1. Prior to issuance of final certificate of occupancy, a Landscape Maintenance Agreement shall be approved and shall acknowledge the following:

a. All approved landscaping shall be installed, irrigated, and maintained in perpetuity in accordance with section 123-7 of the City Code of Ordinances, in order that it continues to present a healthy, neat, and orderly appearance free of refuse and debris, in conformity with the following requirements:

i. 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

ii. 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.

2. An updated Environmental Assessment shall be required

3. The project shall have a Florida Fish and Wildlife Conservation Commission (FFWCC) Gopher Tortoise Permit in place prior to conducting any land clearing operations as the submitted Environmental Assessment indicates that gopher tortoises are present on the site

4. A 5-ft sidewalk is required along Poinsettia Ave.

5. Prior to the issuance of any site clearing permits, the applicant shall provide a Tree Mitigation Survey and coordinate with the City of Fort Pierce Arborist for the required mitigation of the City's regulated trees proposed to be removed as a result of its site development/construction activity.

6. Addresses will need to be submitted to the Planning Department for all units

prior to building permit application

Questions of Staff:

The Commission inquired on sidewalks, County Road improvements, gopher tortoises, dumpster enclosures, the inclusion of County property zoning in future presentations, bus stops, fence height and adjacent property zoning.

Ms. Driver commented on proposed sidewalks, County Road improvements, the change to individual garbage receptacles, and confirmed fence height.

Kevin Freeman, Planning Director, commented on disclaimers, appropriate permits from State and Federal regulators, bus stop placement and adjacent property zoning.

Questions of the Applicant:

George Missimer, Cotleur & Hearing had no questions of staff. Mr. Missimer clarified the property location, transitional densities, and the site plan.

The Commission inquired on Regina Dr. and individual trash receptacles.

Mr. Missimer commented that they will meet all County requirements and community functions for individual trash receptacles.

Mayor Hudson opened the public hearing.

Seeing no one, she closed the public hearing.

Jason Atkinson, Public Works Director, commented that the garbage cans are leased from the City and a fee assessed for the individual cans, but recommended a dumpster location.

Mayor Hudson reopened the public hearing.

Mr. Missimer commented that they are open to adding a dumpster.

Mayor Hudson closed the public hearing.

The Commission inquired on the code for garbage receptacles, notification requirements and recommended dumpsters.

Mr. Freeman mentioned that there is no specific language for garbage, amendments could be made administratively, and they are working on revising the notification system since there are no current requirements.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Arnold Gaines to approve the Site Plan with six staff conditions and the addition of dumpster enclosure(s) to replace individual garbage receptacles as number seven.

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

Passed

13. CITY COMMISSION

- a. Resolution 25-R23 Granting or Denying a Time Extension for the Sale Agreement of 604 S 6th Street.

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

RESOLUTION NO. 25 -R23

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING OR DENYING AN AMENDMENT TO THE SURPLUS PROPERTY SALE AGREEMENT AT 605 SOUTH 6TH STREET RELATED TO A REQUEST FOR AN EXTENSION OF TIME, TO INCLUDE ANY NECESSARY LITIGATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Miriam Garcia, Redevelopment Specialist, presented the request to authorize or deny the time extension for the sale agreement of 604 S 6th Street.

Questions of Staff:

Commissioner Taylor inquired on the timeline and time spent on the project and provided his opinion on the program.

The Commission commented on the timeline, development of vacant lots, the agreement, stimulation of development for single-family housing, and how staff determined there may be issues with the project.

Ms. Garcia clarified the extension deadline and the process to amend the agreement, time into the project, and communication with the developer.

Ms. Hedges commented on the specific timeframes for bidders in the agreement.

Joe John McVey, developer, commented on the reason for the extension request, finding a builder.

The Commission inquired on the construction timeline once the permit is approved.

Mr. McVey commented on the projected timeline once the permit is approved.

The Commission discussed approval of the project.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R23 and granting the request.

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

NAY: Commissioner James Taylor

Passed

- b. Resolution 25-R24 Granting or Denying a Time Extension for the Sale Agreement of 1204 Avenue E.

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

RESOLUTION NO. 25-R24

A RESOLUTION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING OR DENYING AN AMENDMENT TO THE SURPLUS PROPERTY SALE AGREEMENT AT 1204 AVENUE E RELATED TO A REQUEST FOR AN EXTENSION OF TIME, TO INCLUDE ANY NECESSARY LITIGATION; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Miriam Garcia, Redevelopment Specialist, presented the request to authorize or deny the time extension for the sale agreement of 1204 Avenue E.

Mayor Hudson commented on the delay due to statutory reasons at the Property Appraiser.

The Commission inquired on building permits.

Ms. Garcia commented that the developer has updated plans that must be presented to the Historic Preservation Committee.

Ms. Hedges clarified the motion requirements for the motion.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R24 and granting the request.

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

NAY: Commissioner James Taylor

Passed

- c. Resolution 25-R27 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. 25-R27

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.

Ms. Cox provided ballots and explained the voice vote for tallying. The Mayor and Commissioners announced their individual votes, which are attached to the agenda as part of the record.

Advocate for low-income persons:
Trevor Banks

Real Estate Professional:
Verna Jones

Essential Services Personnel Representative:
Erin O'Brien

Not-for-Profit Provider:
Kerri-Ann Brown

Residential Home Builder/Banking or Mortgage/For Profit Provider
Jennifer Picardi

City Resident
KeAndrea Davis

At-Large positions
Aundrea Hair
Leslie Olson

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R27.

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

Passed

- d. Resolution 25-R28 appointing Renella Mitchell to the Board of Adjustment as Mayor Hudson's appointee.

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

RESOLUTION NO. 25-R28

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

Motion was made by Commissioner Michael Broderick, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R28.

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

Passed

- e. Resolution 25-R29 appointing Ryan Collins to the City of Fort Pierce Planning Board as Commissioner Taylor's appointee.

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

RESOLUTION NO. 25-R29

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

Motion was made by Commissioner James Taylor, seconded by Commissioner Michael Broderick to approve Resolution No. 25-R29.

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

Passed

- f. Resolution 25-R30 appointing Mary Durkin to the City of Fort Pierce Parks Advisory Committee as Mayor Hudson's appointee.

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

RESOLUTION NO. 25-R30

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

Motion was made by Commissioner Arnold Gaines, seconded by Commissioner Curtis Johnson, Jr. to approve Resolution No. 25-R30.

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

Passed

- g. Resolution 25-R31 approving or denying the Third Amendment to the Amended and Restated Agreement for Development of King's Landing and First Quarter Update

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

RESOLUTION NO. 25-R31

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA REGARDING THE REQUEST FOR A THIRD AMENDMENT TO THE AMENDED AND RESTATED AGREEMENT FOR DEVELOPMENT OF KING'S LANDING AND THE SALE OF PROPERTY FROM AUDUBON DEVELOPMENT, INC TO LIVE OAK HOLDINGS GROUP, LLC; PROVIDING FOR A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

Ms. Hedges explained and presented the third amendment of the agreement.

Scott Hawkins, The Jones Foster Law Firm, acknowledged Ms. Hedges and Mr. Freeman in the Planning Department and was available for questions.

Bill Ware, Live Oak Holdings, acknowledged Ms. Hedges and provided an update.

Commissioner Gaines inquired on the final agreement with Marriott.

Mr. Ware commented that there is an interest in the area, that Marriott does not sign term sheets without reason, and that they do not allow franchise applications to be approved unless they intend to move forward with the project.

Commissioner Broderick expressed his confidence in the project, extensive conversations with Mr. Ware, and supports the third amendment. In addition, he provided his view of the proposed outcomes.

Mr. Freeman commented on the timelines, the quality of the submittal, and the next steps in the process.

Commissioner Johnson inquired as to why it takes a year to close the contract and liability.

Mr. Ware explained that there is no adverse reason for the timeline.

Commissioner Broderick commented on risk capital, site plan, financing, and the timeline.

The Commission continued the discussion on the process and timeline.

Mayor Hudson inquired on the closing.

Ms. Hedges clarified the closing date and the commencement of vertical construction in July 2026.

The Commission discussed City structure, funding and virtual discussion, inquired on the inclusion of the FPUA and County, and screening.

Motion was made by Commissioner Michael Broderick, seconded by Commissioner James Taylor to approve Resolution No. 25-R31 granting the amendment.

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

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.

Pamela Carrithers
Keveny Stevens

15. COMMENTS FROM THE CITY MANAGER

City Manager, Richard Chess, commented that he is glad to be here and excited to work with staff and the community, and will have a voice in the City Manager's office.

City Clerk, Linda Cox, welcomed Mr. Chess and commented on working with him.

City Attorney, Sara Hedges, welcomed Mr. Chess.

- a. Reports

16. COMMENTS FROM THE COMMISSION

Commissioner Gaines thanked Mr. Chess and commented on appointment to the homeless board.

Commissioner Taylor welcomed Mr. Chess.

Commissioner Johnson welcomed Mr. Chess, thanked Ms. Carrithers for her stewardship, and commented on Senate Bill 810 inspecting stormwater annually and the Sovereign Immunity Bill.

Commissioner Broderick thanked Commissioner Johnson and Mayor Hudson for their work in Tallahassee on behalf of the City, welcomed Mr. Chess, and thanked staff for their hard work.

Mr. Andrews, Deputy City Manager, commented that there are seventy-six miles of storm lines and a quarter to a third inspected per year, and an upcoming change order for utilities relocation.

Mayor Hudson commented on a bill for utility relocation and welcomed Mr. Chess.

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 8:57 p.m.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER