

MINUTES OF A REGULAR POSTPONED 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 6:30 P.M. ON TUESDAY, SEPTEMBER 4, 2007.

Mayor Benton called the meeting to order.

Reverend Moses Hill, Moses Hill Ministries, gave the invocation.

The Pledge of Allegiance was recited.

Upon Roll Call, those present were: Mayor Robert J. Benton; Commissioners Rufus Alexander, Edward Becht, Christine Coke, and R. Duke Nelson; City Manager Dennis Beach; City Attorney Robert Schwerer; and City Clerk Cassandra Steele. Those absent: None.

The next item on the Agenda was Approve Minutes of the Special Meeting on August 10, 2007, and the Minutes of the Regular Meeting on August 20, 2007.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, to approve the Minutes of the Special Meeting on August 10, 2007, and the Minutes of the Regular Meeting on August 20, 2007.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

Mayor Benton issued a Proclamation in honor of Stacey LaSala and her outstanding accomplishments. Ms. LaSala was present to receive the proclamation.

Mayor Benton said these days all they read about in the newspapers usually are young people that are doing the wrong thing. She is doing the right thing. She is a role model. How she finds time to have accomplished all that. He is sure she has some good parents behind her and a good family. Fort Pierce is very proud of her.

The following letter will be kept on file in the City Clerk's office:

Letter from Pamela Wolkowsky commending Fort Pierce Police Officer Martin Ortiz and Sergeant Antonio Hurtado for their honesty, integrity, and help.

The next item on the Agenda was Public Hearing on Notice of Appeal submitted by T.M.H. LLC from a decision made by the Historic Preservation Board concerning the Certificate of Appropriateness for Relocation (COA 07-39) for a building located at 411 South Indian River Drive.

Ms. Kia Powers, Historic Preservation Officer, said the property owners are appealing the Historic Preservation Board's decision to deny the relocation of the historic residential structure to a relocation site of 3414 NE Indian Drive in Jensen Beach, Martin County.

City Attorney Schwerer asked may he interrupt? He had a discussion with Mr. Tierney before the meeting started concerning the legal status of the appeal; and he believes Mr. Tierney may have something to announce that would obviate the need for the Public Hearing, at least with respect to this issue and this appeal. If Mr. Tierney could be heard, it will probably save the Commission some time.

Mr. J. Stephen Tierney III, Law Offices of Neill, Griffin, Tierney, Neill & Marquis, said he is representing the petitioners. A little background, his client had originally gone in for a COA for Demolition. It went before the Board. Staff recommended

demolition. The Board said no, they denied the demolition; and said find a place for it, see if they can relocate it. They had a great deal of difficulty finding a place to relocate it. They found one far away and applied for that. The Board turned that down. Now it turns out where they were going to move it, they don't want it anymore. And the mover that was going to move it does not want to move it anymore. He inspected the second floor, full of termites.

Part of the construction is block, part of it is wood. It is a real mess. It is too structurally unsound to move. So they are in that position. Today he was going to argue about notice, about they should not be in the River's Edge District. However after speaking with Mr. Schwerer, he said based on the circumstances and in his opinion that they could go back now back to the demolition, do another request for COA for Demolition based on the fact that they were asked to go through the removal when they did the original demolition request. Now they find out it is not feasible. His clients said they would be willing to withdraw the appeal tonight if they were assured they can immediately go back in and apply for the COA for Demolition. Mr. Schwerer gave the opinion that they could. If they can be assured that they can immediately go back in for demolition and not be precluded from doing that based on the fact of the process they have been through before, they would withdraw tonight's appeal and start that over again.

Mayor Benton asked how can they guarantee...?

City Attorney Schwerer said they can't guarantee. What they can say is this... He did have the discussion with Mr. Tierney. Tonight's appeal deals strictly with the Historic Preservation Board's decision to deny the relocation of this building to another site and the appropriateness of that site and the criteria used under the Code. That is not an issue any longer. Now Mr. Tierney's clients would like to reapply for the demolition and have another hearing before the Board based on change in circumstances and other considerations. There is nothing in the Code that prohibits him from going back before the Board and he is so entitled to do that.

So his appeal is not precluded, he has a right to go back before the Board. Whatever decision is rendered by the Board of course is subject to being appealed back to this Commission. But the issue of demolition, he would need to file another application for demolition, just like the last one, and have it in time for the agenda and get it on the Board's meeting date and considered. Then whatever occurs, either party could appeal to this Commission the decision of the Board if they are unhappy with it.

Mayor Benton asked in other words, he wants to withdraw his appeal tonight on this?

Mr. Tierney said as long as they are not precluded from applying for another COA for Demolition right away.

Mr. Schwerer said they are not precluded.

Mayor Benton said and if they don't like the decision made, he can always come back in front of the Commission. Right?

Ms. Powers said yes.

Mr. Tierney said then they will withdraw.

Commissioner Becht said point of order. He thinks they have advertised this and he thinks their policy is they don't allow

withdrawals after it has been advertised unless this Commission says it can be withdrawn.

City Attorney Schwerer said that is correct; but that policy applies to the zoning applications as opposed to these.

Commissioner Becht said he is willing to make a motion to allow them to withdraw.

City Attorney Schwerer said if he feels it is necessary; but it probably isn't under the Code because of the nature of...

Commissioner Becht said if it is not, he would like to make it that way because he does not want these things withdrawn at the last minute.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, to allow withdrawal of the Notice of Appeal submitted by T.M.H. LLC from a decision made by the Historic Preservation Board concerning the COA for Relocation of 411 South Indian River Drive.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

Ordinance No. K-508 entitled, "AN ORDINANCE EXTENDING THE TERRITORIAL LIMITS OF THE CITY OF FORT PIERCE, FLORIDA, TO INCLUDE PROPERTY LOCATED IN **SURFSIDE PLAZA UNIT 1, BLOCK 8 - LOTS 6, 7, 8, & 10**; DIRECTING THE ST. LUCIE COUNTY PROPERTY APPRAISER TO ASSESS SAID PROPERTY AND PLACE IT ON THE CITY TAX ROLLS AS OF JANUARY 1, 2008; DIRECTING THE ST. LUCIE COUNTY TAX COLLECTOR TO COLLECT TAXES ON THE HEREIN DESCRIBED PROPERTY; CERTIFYING PUBLICATION OF THIS ORDINANCE; ZONING SAID LAND; ESTABLISHING THE FUTURE LAND USE DESIGNATION; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HERewith; AND PROVIDING FOR THE EFFECTIVE DATE HEREOF." was placed on second and final reading and read by title only. (Owned by: Kevin Hendrickson)

Mayor Benton declared a Public Hearing on Ordinance No. K-508 in session and asked if anyone in the audience wished to be heard.

Seeing no one and hearing no one wishing to be heard, Mayor Benton declared the Public Hearing closed.

Motion was made by Commissioner Becht, seconded by Commissioner Alexander, that Ordinance No. K-508 be passed on second and final reading.

Those voting in favor of the passage of Ordinance No. K-508 on second and final reading were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

The next item on the Agenda was Mr. Sean Tanner, Ark Developers, Inc., request 6-month extension for the approved **Site Plan** for **Southland Villas** townhome project to be located on the northeast corner of U.S. #1 and Southland Drive (at 3300 South U.S. #1).

Commissioner Coke asked it is her understanding from reading this background that everything is in the works and that they actually will begin construction? Or are they just giving another extension for someone who in six months is going to ask for yet another extension?

Mr. Matthew Margotta, Director of Community Development, said this is already in the works. They already have a couple of building permits. This is for the site plan, they need to continue this in order to continue the construction work.

Commissioner Coke said she just does not like for people to come in and burn staff's time.

Mr. Margotta said he hopes they finish the work once they start.

Mayor Benton said he could understand if it was closer to March. March is a long way away. A 250-unit townhouse development, he hasn't seen too many of them start today with the market the way it is. To get a year's extension this soon...

Commissioner Coke said their request is six months. It expires September 18th, 2007, which is two weeks from today.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, to approve a 6-month extension to the approved Site Plan for Southland Villas at 3300 South U.S. #1, with the condition that the \$50,000 donation to City parks and recreation occur within 30 days.

Mayor Benton said he will not be supporting the motion, because he didn't support this Site Plan when it came in front of them the first time.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, and Nelson. Those opposed: Mayor Benton.

The next item on the Agenda was Culpepper & Terpening, Inc. report on status of Permit from Florida Department of Transportation for Harbour Isle Roundabout on State Road A-1-A.

Mr. Stefan Matthes, Culpepper & Terpening, said he has been asked to do an update on where they stand with the permitting through the Florida Department of Transportation for the roundabout at Harbour Isle. As of last Wednesday, he received an email from the FDOT Permit Engineer itemizing three additional things they want in order to issue the permit. Two of those three things have already been acted on by City staff and his firm. That was the extension of the drainage permit they got a year and a half ago that has since expired and needed to be extended. And also the enactment of the Maintenance Agreement for the landscaping within the roundabout. The third issue was FDOT has decided that they would like to have in fee simple the property that Harbour Isle had given to the City as an easement for the construction of the roundabout. So they are right now in the process of working with Harbour Isle's attorney to see how they can convert an easement that has already been recorded in favor of the City into a fee simple dedication to FDOT. Once they work that out, FDOT promised them a permit.

Mayor Benton said so in other words, this is down to attorneys again.

Mr. Matthes said unfortunately, yes.

Mayor Benton asked is there anything the Commission can do to expedite this matter?

City Attorney Schwerer said it hasn't come to his office. This is solely a FDOT issue. His office reviewed and approved the original easement which they processed for the construction of the roundabout.

Mr. Matthes said yes he did, two years ago.

City Attorney Schwerer said normally an easement is sufficient for this purpose.

Mr. Matthes said they actually sent it to FDOT two years ago.

City Attorney Schwerer asked they are just now raising this?

Mr. Matthes said now all of a sudden at the last minute FDOT is saying they prefer to have fee simple. He asked if they would take the easement instead of a fee simple and they gave him a very resounding and strong no.

City Attorney Schwerer said he will certainly work with Mr. Matthes.

Mr. Matthes said he is going to start with their local attorney and see what they can do to take back the easement and create a fee simple. His only concern right now is the property may be in the ownership of the HOA.

Mayor Benton said he thinks the HOA really wants to get going on it. Maybe it is, maybe they are better off that way. The minute that is signed and ready to go, is FDOT ready to start with this?

Mr. Matthes said that is what the email says.

Mayor Benton said hopefully they can let the contract conditioned upon that approval.

City Manager Beach said FDOT has indicated they will not issue a permit to construct it without this ownership issue being resolved. They did say they would approve the project - they have approved the design and they have approved just about everything they need, with the exception of the permit to do the work. That was their first question, why can't they just proceed and get this underway? And FDOT said now without this transfer of ownership of land. And by the way, he could not get a time frame out of anybody on how long that may take for obvious reasons, they simply don't know what details are going to be involved.

Mayor Benton said see if they can raise that to the top of the priority list.

Mr. Matthes said there was a flurry of activity last week after a couple of phone calls were made to the head of the District, so that definitely helped move it along.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 07-37

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, APPOINTING MEMBERS TO THE **KEEP FORT PIERCE BEAUTIFUL ADVISORY BOARD**; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Coke, seconded by Commissioner Becht, to adopt Resolution No. 07-37.

Those voting in favor of the adoption of Resolution No. 07-37 were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those

opposed: None.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 07-38

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, CERTIFYING THE REAPPOINTMENT OF MARCIA BAKER, CYNTHIA TODD, CECELIA DEFILIPPIS, & ELIZABETH M. RODEN AS MEMBERS OF THE **COMMUNITYWIDE COUNCIL**; PROVIDING FOR AN EFFECTIVE DATE.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to adopt Resolution No. 07-38.

Those voting in favor of the adoption of Resolution No. 07-38 were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 07-39

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, GRANTING AD VALOREM TAX EXEMPTION FOR IMPROVEMENTS MADE TO **307 ORANGE AVENUE**.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to adopt Resolution No. 07-39.

Those voting in favor of the adoption of Resolution No. 07-39 were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

City Clerk Steele introduced the following Resolution by title only:

RESOLUTION NO. 07-40

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF FORT PIERCE, FLORIDA, AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ADMINISTER THE FLORIDA DEPARTMENT OF ENVIRONMENTAL PROTECTION (DEP) **BEACH MANAGEMENT FUNDING ASSISTANCE PROGRAM GRANT** ON BEHALF OF THE CITY OF FORT PIERCE, THE GOVERNING BODY; PROVIDING AN EFFECTIVE DATE. (Dune Revegetation Project, Phase 2)

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to adopt Resolution No. 07-40.

Those voting in favor of the adoption of Resolution No. 07-40 were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

The next item on the Agenda was Commissioner Becht discussion on request by Florida League of Mayors to endorse **Mayors Green City Accord**.

Commissioner Becht said he found a copy of a letter and put it in their packets. The letter is self-explanatory. It has them make at least a commitment verbally to try to be more energy efficient and more environmentally sensitive. It is endorsed by the Florida League of Cities. He didn't know if they might be interested in doing this.

Mayor Benton said he thinks it is a good idea. They could send a letter along with it. There is something that has been done, he believes up in New Hampshire and Vermont. He guesses they do the ultimate recycling, like they did when they were kids, when it comes to bottles. They have gone to the return bottles where they get a deposit. He thinks it would help in the landfills, it would help keep garbage off the sides of the streets, and give kids and other folks the ability to go out there and make a few dollars.

Commissioner Becht said he is happy with this little step.

Mayor Benton said for years they have seen this. Just like their Governor just signed a pact with the Governor of California. But it is just a lot of talk, he hasn't seen anything come out of it with any meaning yet.

Commissioner Becht said there is a Sustainability Committee at the County. Stuart has adopted a model ordinance that, if you design a building according to LEED standards, then that building gets fast-tracked and it gets special treatment. He is not prepared to bring that ordinance before them tonight because the committee at the County is still studying it - they are trying to get information from Stuart on whether this is or is not working, where the hitches and glitches might be - so they can learn from their mistakes before they bring this in and proposed it in Fort Pierce. But that is one of the things he expects and hopes to be bringing forward in the next couple of months.

Commissioner Coke said she wants to thank Commissioner Becht for bringing this up, she thinks it is a great idea. She is wondering if they could speak to their own Solid Waste Department about having some recycling bins throughout every room in City Hall. All too often she sees the plastic going in the garbage pail. They ought to practice what they preach.

Mayor Benton said he agrees. When it comes to the school system, he was surprised - for all those years they told people they should recycle, and the schools went from the plastic trays they could wash to styrofoam and everything was being thrown away. If they start in the schools and teach the kids, the next generation will start recycling. He really hopes they do more than talk throughout the State and he hopes they really get down to some business. Because from what he hears as far as return bottles, it has really made an impression and it cleaned up those states in New England. They have to do something. Especially if someone has been out diving recently during lobster season, it is amazing how many bottles and cans are on the bottom out there. Somehow they need to stop that. If they had a 5-cent or 10-cent return on it, it would probably get picked up.

City Manager Beach asked is this to be put in the form of a resolution?

Commissioner Becht said what he got was just a consensus from the Commission that the Mayor would have permission to sign the Mayors Green City Action Accord. It is going up to Tallahassee to hopefully encourage Tallahassee to do something statewide; and if they don't do something statewide, then they can come back and do something here locally. He is reminded of an idea they had locally about requiring gas stations to have generators. That eventually got done by the state, although he is not sure the state has enforced it. They are going to walk the walk.

Mayor Benton said the National Mayors Association also has a group of mayors that have signed in on this. Just so they know, they are one of them.

Commissioner Nelson said he knows Mayor Rick Backer from St. Petersburg - a very fine man, a very active mayor. He has seen him operate in the Florida League of Cities. This appears to be a good idea. He is sure they discussed this at the Mayors Conference they had at the League. So he is supportive of the idea as well.

Commissioner Alexander said he is supportive also.

The next item on the Agenda was Director of Finance request appropriation and transfer of \$750,000 to the Health Claims Fund.

Mr. George Bergalis, Director of Finance, said he believes the request is straightforward. He solicits their concurrence and approving of a transfer from the various funds to the Health Claims Fund at this time in order to allow them to continue paying claims.

Commissioner Coke asked if they were to approve this transfer this evening, what would that put their General Fund balance at?

Mr. Bergalis said after doing some up-to-date calculations today, they are anticipating that after this transfer they can still end up at the end of this month with approximately \$2 million in fund balance.

Commissioner Coke asked according to the statute this Commission voted on, what percentage balance they are supposed to have?

Mr. Bergalis said the Resolution that was adopted by this Commission several years ago (Resolution No. 02-48) stated that they should maintain a fund balance equal to 10% of the existing budget.

Commissioner Coke asked if they were to transfer these funds today, what percentage would that put them at?

Mr. Bergalis said 10% of the existing budget would be \$4 million. So they are essentially at around 5%.

Commissioner Coke said now he sees why she has a problem. What do they do about the fact that somehow they have got to 5%, when according to their Resolution they are supposed to be at 10%? Now they are looking to lower it yet again.

Mr. Bergalis said the Resolution allows the Commission to look at other percentage numbers at any point in time that they so wish. He is not stating they want to do that. He thinks their goal is to try to build that fund balance back up in the future to the amount that is stipulated in the Resolution.

Commissioner Coke said she is only one vote and she does not know how everybody else feels. They can't change what they have done in the past; but in the future, as soon as they drop below that 10%, she would like to be informed and red-flag every transaction that happens after that point in time.

Mr. Bergalis said that information was available in one of his updates he sent out a couple of months ago. It also was apparent in the audit report that was presented to them all recently, that the fund

balance had gone from a high in 2005 from about \$7.5 million down to around \$3 million, and now they are down around \$2 million.

City Manager Beach said he would encourage the Commission to stay with the 10% Resolution. Staff feels a lot more comfortable with that figure. As Mr. Bergalis indicated, their goal and their objective is to get there and to stay there. They are not going to ask the Commission to modify that position. What they are going to ask is they all focus and try to get back there.

Commissioner Becht said when he and Mr. Bergalis met with Mr. Beach back in February or March, they talked about Mr. Bergalis creating a summary or a snapshot of where they stood with the budget and the general fund on a quarterly basis. He thinks tonight presents a very good focus on why they need that. He would ask that they follow through with that idea. But Mr. Bergalis also informed him at that time that the fund balance does fluctuate quite a bit during the year from month to month, and he mentioned that it had an accounts receivable from either FDOT or FEMA or somebody that he expected to be received. Do they have any significant accounts receivable that would be going to that general fund balance that would alter the \$2 million in the next 60 to 90 days?

Mr. Bergalis said one of the biggest receivables on the books of the general fund is demolition and lot clearing liens receivable. But he would be a fool to anticipate that they are going to reduce that. But no, there are no large receivables from FEMA or FDOT they have booked right now.

Commissioner Becht asked so they are expecting it to stay at at least \$2 million for the foreseeable future?

Mr. Bergalis said at least until the end of this month.

City Manager Beach said as the Commissioners know, they are in discussions with the Fort Pierce Utilities Authority in regards to transfers that haven't been made last year and the one anticipated this year. That figure is approaching \$1 million. Although it is not booked as an accounts receivable, they are noting it as they move forward. In fact, they will see it on the revenues section of their proposed budget, that those are outstanding and staff is working on that issue. That is the only thing he is aware of immediately that could impact that.

Commissioner Alexander said this is speaking of a shortfall, so they are already into the shortfall. So the decision tonight has to cover the bases on that. Is he right?

Mr. Bergalis said they have been using some delaying tactics and creative financing in the last couple of weeks in order to keep the claims being processed. That is why it is imperative that he gets permission tonight to make this transfer, so they can replenish what they have creatively funded in the last couple of weeks, and then provide what they hope is going to be sufficient funding in the Health Claims Fund to sustain it. And hopefully the claims experience will start normalizing. They have had a couple of bad months. When that happens, the amount of money that is paid into the fund each month from both the employer and the employee has been utilized very rapidly. This is the first time they have had to do this since about February 2002, when he had to come to the Commission for some additional funding. Staff is anticipating making some structural changes to bring to the Commission in the next 30 to 45 days regarding

the health claims; and if they get some concurrence on what they are going to be proposing, he thinks they can realize some savings to the City in this plan where they may not have to do this hopefully again.

City Manager Beach said he would encourage each of them to keep this subject in mind because they have directed Staff previously to notify the Unions that they were going to look at some changes both in the health care plan and also in the distribution of proceeds as it relates to dependent coverage. Those are high dollar figures. So when this comes back to them, please recall what is going on here this evening and what they are experiencing with this cost.

Mayor Benton said when it comes to the Resolution about the 10%, he thinks he was the one as a Commissioner that brought that to the Commission. And also, they dealt with it on the Fire Board. But the philosophy behind it was not to spend money where they don't have to for maybe capital projects, but they needed to have something to fall back on on a rainy day. Two hurricanes were that rainy day. And when it comes to employees health care, he thinks that is sort of an emergency. As long as they replenish that... And it has happened only once since he has been here that he knows of. He believes it is something they have to pay, right? They don't have a choice.

Mr. Bergalis asked the health claims? He can delay paying only so long. The providers want to be compensated for services they have rendered. It is going to start impacting the ability of the employees to receive health care.

Motion was made by Commissioner Alexander, seconded by Commissioner Nelson, to appropriate and transfer \$750,000 to the Health Claims Fund.

Commissioner Nelson said the fund balance is something they have to address in terms of doing exactly what the Mayor said they should have these monies for, for those emergencies over and above the ability of Staff to process through the normal processes. He thinks the Mayor is right to some extent, that certain situations have happened beyond their control and they should do something to offset it. More than that, they are dealing with the basic health issue, which is part of their responsibility for the health, safety, and general welfare. But this time it deals with those people who are employed by this City to do their jobs. So he thinks it is prudent for them to in fact move forward on this and act positively in that they can charge Staff to look forward to the day when they can replenish those funds necessary to reach that threshold which he thinks is realistic. 10% for reserve is not too great for any organization, he thinks it is basically the standard throughout the industry. So he can support this motion.

Mayor Benton said the sad thing is, one of the comments that was made in Tallahassee at the top was that local governments shouldn't have a fund balance. That is what the Governor said about three months ago. It really surprised him. He thought he wanted them to be responsible.

Commissioner Coke said she has a very difficult time supporting this. She is going to clarify that. She does not have a difficult time providing health care and taking care of their employees. She has a difficult time in that she thinks in some respects they have kind of created their own emergency. The Commission came up with they

should have been raising or attempting to raise a percentage of dependent health care. And they have never done it in the past twelve years. Her concern is, they have 40,000 citizens that they desperately need to serve. Their fund balance, if they approve this transfer this evening, is not going to be 10% or 5%, but someplace like 4% of what it should be. And they are letting 40,000 citizens down in order to take care of their employees. She thinks it is very important that they do that. But she thinks at some juncture they need to have a higher level of fiscal responsibility. When she first came on this Commission, she remembers Mayor Enns and she had a big fight about putting health insurance out to bid. They did that. The first thing that happened was their provider lowered his annual fee by \$67,000. Unfortunately, she does not think they have done that since then, and that was five or six years ago. Being in business, every single year she goes out to bid on her health insurance. And every single year when she does that, there is a cost savings. Either she gets another plan in that is going to be a lot less expensive, or the people who couldn't do it for any less than a 15% increase all of a sudden can do it for a 7% decrease. So she would like to see this Commission establish a policy where annually they reexamine their health care costs, even if it means bringing it back for further Union negotiations, and also to put it out for bids. Because this is a spiraling cost and they can't expect the taxpayers to be absorbing this on an annual basis.

Commissioner Alexander asked isn't that exactly what instructions they gave to Staff just a week ago?

Commissioner Coke said yes, she understands that, her frustration level is that they gave it to Staff a week ago. But in her mind, it should have been done every single year annually, it should have been brought to them - this is what their health care is, this is the increase for dependent care - should they be passing this along or should they be shopping the insurance? Unfortunately that hasn't been done all along, so now they are stuck in this dilemma.

Commissioner Nelson asked may he suggest how they can get that done on an annual basis?

Commissioner Coke said no, don't mention the word - auditor.

Mayor Benton said he is sure it will be done, because going into this year they are going to have to do something.

Commissioner Becht said the information they are being shown is that they had budgeted for this fiscal year \$2.8 million coming out of the General Fund for health claims. And that is not to be confused with health insurance premiums he assumes. Is he correct?

Mr. Bergalis said the budget includes both the cost of the reinsurance, it includes the cost of the network administration, but most importantly it includes the claims costs, which obviously is the major part of the cost.

Commissioner Becht asked so it is both premiums and claims?

Mr. Bergalis said premiums for the reinsurance, yes. That is the only premium they pay.

Commissioner Becht said so they are 20% off with their projections. Have they factored in this miscalculation into the proposed budget they may be looking at tomorrow night?

City Manager Beach said the way this is being presented to them this evening by the Finance Director is that this money will come directly from the fund balance of the City. In other words, it is going to be paid prior to next year. What they are going to do, instead of going into the next year with a \$3 million fund balance, they are going into next year with a \$2 million fund balance because of this expenditure. It is not in the budget.

Commissioner Becht said this is his point. The last time they talked about the budget he had said it would be nice to set it up so they saw 2006 Budget, 2006 Actual, Known to Date, and then Proposed 2008.

City Manager Beach said this should be reflected in that experience once they get that format put together.

Commissioner Becht said once they get that format, it will be. But they have not got that format yet.

City Manager Beach said the next budget they get will have that.

Mr. Bergalis said the comment was made there was a miscalculation.

If George Bergalis, their chief financial officer, was able to calculate on an on-going basis who is going to get sick and what the claims costs are going to be, he would probably not be sitting here addressing this issue tonight. They anticipate each year based upon the best information they have and their claims experience - their consultant, their third party administrator, and their network administrator - what their claims costs are going to be for the ensuing year. However, none of them have the ability to control who is going to get sick and when. The last couple of months have been extremely bad months and the claims costs have been much over and above what anybody had anticipated. When that happens, it throws this whole funding measure out of kilter.

Commissioner Becht said he appreciates that. And he also appreciates that Mr. Bergalis has done an admirable job with his crystal ball of keeping them out of this situation since 2002. But it takes him back to the information that he is getting while trying to determine what is a proper budget going forward. And he now knows that when he next gets the budget this information will be in it, so he will know what the actual experience has been for this item in last years budget. Correct?

City Manager Beach said correct.

Commissioner Becht said that was the point he was trying to make.

He did not mean Mr. Bergalis any insult by saying miscalculation.

Mr. Bergalis said he understands. That is why it is important, in his opinion, when they come back to the Commission with some changes to be made to the health plan - both in the employees assumption of additional costs and changing the structure of what is allowable costs now - he hopes they will get concurrence from the Commission.

Because those are the measures that can be taken in order to control this ever-escalating health claims cost. Otherwise they are just spinning their wheels here if they don't do that.

Commissioner Coke said she understands Mr. Bergalis is inundated with budget at the current time. But if he could prioritize that restructuring of health insurance and the options immediately following the budget, she would really appreciate it.

Mr. Bergalis said it is already a work in process. It started about two weeks ago.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

The next item on the Agenda was Director of Community Development to give Status Report on proposed Waterfront Charrette.

Mr. Matthew Margotta, Planning Director, said regarding the waterfront planning activities, since their last meeting he received the Scope of Services for the changed area from the Treasure Coast Regional Planning Council. With that information he has been able to develop a timetable to bring that agreement back to them. By the end of this month he expects to have that in an executable form through the City Manager's office and the TCRPC. That will allow him to place it on their October 15th agenda for review. As he understands right now, they are aiming for no later than the first meeting in November to have the entire thing executed. So he believes all that is very doable and that is the timeline he is working under.

Commissioner Coke said she is looking back on a letter from the Treasure Coast Regional Planning Council to Mr. Anderson dated December 14, 2006, where this charrette proposal was to run entirely through the County. She believes the Commission thought the City should be lead agency in this, since it is entirely in their City limits. Has that been modified?

Mr. Margotta said yes, that has been modified. The City is the lead agency with the assistance of the Treasure Coast Regional Planning Council. Actually they call it an equal partnership between the two of them.

Commissioner Coke said on February 5, 2006, they had a communication from them stating that the total cost of this proposal was \$125,000.

At that juncture in time, the Commission budgeted \$75,000 with the understanding that the County was going to partner with them along with some private property owners that were affected by the area.

Have they received a commitment from any of those people to participate in this charrette financially?

Mr. Margotta said no, they have not got a commitment on the updated proposal. That is something he is working on. The FPUA was also involved in that.

Commissioner Coke asked the price is still \$125,000?

Mr. Margotta said the last one was. But actually he thinks they have taken on more of the work than they need to. He thinks that is still a matter of negotiation. That price is probably going to change a little bit. As it sits right now, the last proposal came back at \$125,000.

Commissioner Becht said the County still has budgeted \$75,000 in there for the charrettes, the last time he talked with Doug Anderson. That is what he was told.

Commissioner Nelson said it is important that they follow through on these commitments. So unless they pursue this with vigor, get it in hard copy, they have changes happening all the time and people have a tendency to forget or say they didn't mean it that way, or new people come on board and it falls through the cracks. He thinks

Commissioner Coke is absolutely right in that regard.

Commissioner Alexander said he heard Mr. Margotta say the FPUA is part of this. Also his memorandum says it is going to be shared by the City, the County, the TCRPC.

Mr. Margotta said it actually hasn't been worked out yet. He knows that is the intent, the three main characters would be the City and the TCRPC with assistance from the County. The FPUA has a very large piece of land in the middle of this.

Commissioner Alexander asked if they divide that up by the four entities, not including any landowners, that price... What the City is putting up front, the County putting up \$75,000, they are talking about \$150,000 just between the City and the County.

Mr. Margotta said he would love to see that kind of money being thrown at this.

Commissioner Alexander said no, they don't need to see that kind of money, they need the fair share of that money. A fair share would not be \$75,000 from the City.

Mr. Margotta said he doesn't have it worked out right now as he stands before them.

Commissioner Alexander asked what area are they speaking of?

Mr. Margotta said basically, the northern edge of this area would be the Fisherman's Wharf area the FPRA just acquired, south to Florida Avenue, along 2nd Street.

Mayor Benton said please don't tell the Treasure Coast Regional Planning Council they have that kind of money between the City and the County, because they need a good deal. This is also paid for by taxpayers in Florida.

City Manager Beach said just as a word of caution, St. Lucie County's interest in this planning function was generated by the Wastewater Treatment Plant planning criteria. The Wastewater Treatment Plant isn't in the last scope that this Commission authorized. So he would not count on the County. He thinks that figure, they would have to negotiate that with the County.

Commissioner Becht said earlier tonight they had an appeal from the **Historic Preservation Board** and they had two appeals at the last meeting. This Commission asked that somebody revisit the cost for filing an appeal. It is \$25, which does not begin to cover the cost of staff and everything else. When can they expect that to be back before them? It needs to be a high priority. They just got hit with three real quick and those were \$25 each and that is a bit insulting.

Mr. Matthew Margotta, Director of Community Development, asked was he asking for a change to the fee structure?

Commissioner Becht said yes. What he is looking for is, if someone wants to appeal, they certainly should be able to appeal, but they ought to be bearing the real cost of that appeal to the City, which is significantly more than \$25.

Mr. Margotta said that will take several iterations to kind of work

through Staff. They also have to coordinate that with...

Commissioner Becht asked end of the year?

Mr. Margotta said absolutely.

Commissioner Becht said he just didn't want it to fall through the cracks. They talked about it and gave it to him; but they give a lot of things to him.

Mr. David Recor, Deputy City Manager, said they have it.

The next item on the Agenda was the **Consent Agenda**. Mayor Benton asked does any Commissioner wish to remove an item for further discussion. (Commissioner Coke requested Item 19c, Change Order to Contract with Dickerson Florida, be removed.)

Motion was made by Commissioner Coke, seconded by Commissioner Becht, and unanimously carried, that the following items on the Consent Agenda be approved:

a. Approve Specific Authorization No. 3 to contract with LBFH Inc. for Additional Services for **Moore's Creek Linear Park** - Phases 3 and 4 - Stormwater Modeling of the Drainage Basin - in the amount of \$15,000.00. (Funds from SMU Bond No. 2) RFQ No. 4896

b. Approve Change Order No. 4 to contract with Johnson-Davis Inc. for **Mayflower Canal** Emergency Culvert Replacements at Azalea Avenue and Palm Avenue in the amount of \$171,620.00. (Funds from NRCS and SMU Bond No. 2) Bid No. 5595

d. Approve proposal from Land & Sea Surveying Concepts to provide a Hydrographic Survey for the **City Marina Basin and Moore's Creek** (pre-dredging, interim, and post-dredging) in the amount of \$15,250.00. Single Source

e. Authorize submittal of Application for Grant from the Florida Recreation Development Assistance Program for development of recently acquired **Rollins Property at Jetty Park**.

f. Approve travel and attendance by Commissioner Alexander to the **Florida League of Cities** Municipal Service Delivery Legislative Council meeting in Lake Buena Vista on September 5-6, 2007.

g. Approve travel and attendance by Commissioner Alexander to the **National League of Cities** 2007 Congress of Cities Exposition in New Orleans on November 13-18, 2007.

h. Approve travel and attendance by Commissioner Nelson to the **National League of Cities** 2007 Congress of Cities Exposition in New Orleans on November 13-18, 2007.

The next item considered was Item 19c, which had previously been removed from the Consent Agenda: Approve Change Order No. 1 to contract with Dickerson Florida Inc. for **State Road 1A**, Phase III, Roadway Improvements (Blue Heron Boulevard to Gulfstream Avenue) for Water and Wastewater Utility Construction in the amount of \$834,120.76. (Funds from SMU Bond No. 2, reimbursed by FPUA) Bid No. 5606

Commissioner Coke said she needed clarification on this and she hopes

it is not going to turn into the usual three hour cost-sharing discussion. She brought her little chart that says the FPRA was going to pay \$837,250 for Phase 3. Now she is seeing this Change Order for \$834,120. Is this in addition to the \$837,250 they approved paying for?

City Manager Beach said no, this is instead of the \$837,250. That is the figure the Commission previously approved.

Mr. Jack Andrews, City Engineer, said yes.

Commissioner Coke said she is going to put a note on here that says paid. So six months from now they are not going to tell her they didn't pay that, it was a change order.

Mr. Andrews said no.

Mayor Benton said the FPUA approved their schedule of payments today at their Board meeting.

Motion was made by Commissioner Coke, seconded by Commissioner Alexander, to approve Change Order No. 1 to contract with Dickerson Florida Inc. for **State Road 1A**, Phase III, Roadway Improvements (Blue Heron Boulevard to Gulfstream Avenue) for Water and Wastewater Utility Construction in the amount of \$834,120.76.

Those voting in favor of the motion were: Commissioners Alexander, Becht, Coke, Nelson, and Benton. Those opposed: None.

Ms. Marsha Baker said she is a resident on Seaway Drive in Fort Pierce.

She watched the **Budget Hearing**, she had taped it, and she wants to commend every one on the Commission and Staff for the work they have done, not only at this budget hearing, but for the last several years in terms of the budget and the lowering of the millage rates and putting Fort Pierce into a much more favorable position than their sister cities area and certainly in a much better position than the State is in. A little over a year ago and before the cuts that were imposed by the State Legislature, she spoke about the need for long range planning and belt tightening that would be caused by the drop in assessments created by the burst real estate bubble.

She did not foresee it being quite as bad as it was, but she does see that it is not going to be over probably for another two years and it is going to get worse. Next year it is going to be worse and the year after that she would envision it would probably bottom out, her opinion as a Cassandra. Even without the legislated tax revenue diet they have been put on, they would have had reduced revenues because of the burst real estate bubble. And the current shortfalls are only a shadow of what the problems are going to be if the amendment passes to pad the pockets of the real estate developers and home builders. Those draconian cuts that would be needed will then cripple their City and most of the State for several years. The State has been doing all sorts of legerdemain of trying to take care of their budget shortfall, which she believes is about \$1.5 billion and is projected to be \$2.5 billion next year. One of the proposals they had, which she has not been able to print out because she could not find it again, was to take the funds from the Condominium Development Association and put it into the General Fund.

They were immediately advised that there would be lawsuits against them by condo people all over the place because they were not allowed to take funds from one particular entity and put it into the General

Fund. And they could possibly change the budget of that particular fund, they would had to have cut out their education programs and so forth for the condo owners association things. She was thinking about that when she saw their budget hearing the other night and the proposal that was made to take from the Marina fund and the Solid Waste fund and make up the shortfall they have. As Commissioner Coke aptly said, it is a shell game. She would more call it, borrowing from Peter to pay Paul. But however they want to take it, it is taking from viable entities, viable agencies within the City, taking funds away from them and putting them into the General Fund in order to balance the budget, a one year bandaid that may not even be technically legal. She thinks Mr. Bergalis has done a marvelous job of being able to foresee the future, even if he says he hasn't been able to. But as she understands the appropriations ordinances, it says there is a limitation on appropriations. At the end of each fiscal year, the unencumbered balances shall revert to the respective funds, etc. and shall be subject to future appropriation. That any balance remaining after the purpose has been satisfied or abandoned may from time to time be appropriated by the City Commission for such use as will not conflict with any uses for which specifically such revenues accrued. Again, she is no lawyer or accountant; but that seems to her to mean that they can't do what they say they want to do. She may be mistaken. That is why she is bringing it up tonight, instead of at the meeting tomorrow night. But if the State can't do it with their Condo Association funds, she does not see how the City can do it with Marina funds and Solid Waste funds. Aside from the fact that it is only a one year fix, it doesn't seem to really solve the growing shortfall they are going to have next year and probably the year after. They have to do something a lot more creative and drastic to increase revenue and cut expenses. The discussion was made on health care and increasing the costs to their working men and women in their City. She thinks that is probably a big mistake. Of all the things they do not want to do is to increase the burden on the rank and file of the people who service the citizens of their City. So she just wanted to bring these points up. She thinks it would have been better to take plan number two and have the FPRA fund that portion of the police budget that can be attributed to the FPRA area as a service area. Commissioner Coke aptly said some time ago that that would be a bad solution because the FPRA is going to phased out. True, but she is sure the FPRA has to make provisions for on-going plans for its other programs after it is phased out. And it seems to her this should be a permanent fixed program that would be legal and appropriate.

Mr. Charles Wilson, St. Lucie Association, said he made a commitment to Commissioner Becht that he would start submitting some of their questions in writing so they would have an opportunity to be ready for them when he came up here. He has submitted some information about the FPRA and their sunset. They were disturbed to find out that the FPRA sunset can be delayed as long as there is a debt in the FPRA. So it is really strange that the way they can keep their job is to make sure they stay in debt; but they are going to discuss that at a more lengthy time, probably at the FPRA meeting. He has a letter going to the City Attorney about meeting agendas. He has some more information that has to do with the spending that he is going to talk about. What he would like to do tonight is to give a couple of thank-yous to the City Commissioners. First he wants to thank Commissioner Coke. They had a meeting the other day and reviewed the budget meeting. He wants to thank Commissioner Coke for demanding that the staff follow through with the Commission's order to act in a timely fashion to notify the Union about what they

think is extravagant dependent care payments by the other 40,000 people who live here that don't have dependent care and they appreciate their moving that along. He wants to thank Commissioner Coke again and Commissioner Becht for recognizing that the raid on the FPRA money for community policing was just what it was, a shell game to avoid having actual cuts in their budgets. It was creative accounting and not creative policing. They support community policing. They think that Chief of Police Baldwin is doing an excellent job. And in the future they are going to find ways to be able to take things from other places and help him in his effort for community policing. They think that is a high priority. They have plans to be able to submit, suggestions that can make that happen.

They want to thank Commissioner Nelson for recognizing that the Sunrise Theatre budget was voodoo budgeting and they can't go from \$50,000 in ticket sales to \$2 million in ticket sales in one year.

Commissioner Nelson said he doesn't know, maybe they can.

Mr. Wilson said they want to thank Commissioner Alexander for his commitment to neighborhood policing and they support him, and they are going to help him find a way to fund that in a way that does not adversely affect the taxpayers. From time to time this Commission with this budget and all the cuts that are taking place may want to put, as they say in politics, lipstick on a pig. They can blame the Legislature for the things that are happening. And sometimes he has even heard them blame the residents that say they don't want to pay for services. The residents are paying for services. They are paying for services so much that they are about to lose their homes. It is not the residents fault they are in this position. If they had not approved 11% raises last year, they wouldn't be here. If they had not approved millions of dollars in losses with the Sunrise Theatre, they wouldn't be here. If they had not approved huge FPRA spending and the accompanying debt payments, they would not be here. It is no one else's fault but their own, but they want to help them.

Commissioner Coke asked can someone tell her when they are going to get a report back on **Impact Fees**?

City Manager Beach said that should be prepared by their next meeting, September 17th.

Commissioner Nelson said a building here on **510 Orange Avenue** is in a state of disrepair. There is a canopy going out over it and barricades blocking the sidewalk, making pedestrians walk into the street. He wonders what they can do to have that corrected? At least the people should not be required to walk in the middle of the street because of some degradation to a building on the overhang going over the sidewalk.

Commissioner Nelson said in the area of statement of accounts, Mr. Wilson came before them relative to his problems with **liens** on his property at 512 North 12th Street, going back to 1974. He stood before them and staff was asked to get with him and reconcile that.

Since that time he has gotten an influx of additional statements from 514 North 12th Street, 1605 North 15th Street, 1610 Avenue M, and Sam Gaines property on 7th Street and Avenue B. Are they reconciling those accounts to the point that they can get these people rid of those liens? What are they doing in those areas?

City Manager Beach said he is familiar with the issue relating to

Mr. Gaines. And he believes they have copied Commissioner Nelson on correspondence to Mr. Gaines in regards to that subject. Commissioner Nelson mentioned about four, but there is only one other that he recalls coming before the City Commission and them directing Mr. Wilson to get with staff to work through this. He has met with that person. He can't give him any information on the balance of those without researching it.

Commissioner Nelson said they are coming to him and saying they are going to various departments. Apparently this thing is fragmented - it is in Finance, it is in Code Enforcement, and some other place.

People go to the various individuals down there and say they want to pay this and they are refusing to accept the monies. It is causing some problems, they can't reconcile what amount is due. So at least those they have some problem with should be brought to this Commission so they can make a decision relative to the waiving of the administrative costs, charges, and fees - anything over and above the hard costs they are dealing with. He would like to have those come before them to make a determination of what they should do and at least get those squared away. And any others. He is told there is approximately \$2.4 million in outstanding liens if they were to pursue them and get it reconciled. So if they can follow through on those particular ones he cited and of course any others, it would be appreciated.

Commissioner Nelson said the Utilities Authority Director, at his prodding, talked in terms about the charge for standby services to include garbage collection, etc. - transfer charges, adjustment charges, and all this stuff. He is pleased to receive a memo from him saying that in collaboration with the **Solid Waste** people, that no longer will be done, i.e. dormant accounts will not have garbage collection on their bills until it is activated again.

Mayor Benton said that was a mistake on the U.A.'s part. He guesses they felt the City would follow what the U.A. is doing when it came to people that are gone during the summer. But the City didn't buy into that. So the ones that did pay, they did credit their accounts.

Commissioner Nelson said at 13th Street and Avenue D, he talked about that some time ago to get it up and running again. The summer is almost over and it is not up and running. What can they do to get that thing on line and up and running again?

City Manager Beach said Commissioner Nelson is going to need to explain to him what he is referring to.

Commissioner Nelson said they had a quasi **Farmer's Market** there on 13th Street and Avenue D. The Main Street people and the City Clerk's office were trying to come up with some type of procedure involving insurance or whatever the case may be to allow those merchants to use that and get the necessary permits to have Farmer's Market activity to be allowed to go on. It is not happening. Does anybody know the status of that?

City Clerk Steele said the status is, all the paperwork is done. The Lincoln Park Main Street plans on having their first event this Friday. Everything is done, it is all worked out, the paperwork is finished, the insurance is paid, the fees are paid.

Commissioner Nelson said if they can do what is necessary to get them operating, he would appreciate it. Somehow or other, make it happen.

City Clerk Steele said it is not the City's activity, it is Lincoln Park Main Street. It starts Friday.

Commissioner Nelson said they instructed Staff some time ago to address fence height over at the **Port**. He has had some reflection on that. He is very much concerned that they have three containers stacked on top of each other and that is going to be one tall fence. He is just asking them to reflect on what they are talking about. Those fences along the Turnpike aren't three stories high.

Mayor Benton said that ordinance was brought in front of the Planning Board at last month's meeting and the Planning Board tabled or postponed it because they did not like the language of possibly a 30-foot or 40-foot fence.

Commissioner Becht said Commissioner Nelson may not know it, but those Planning Board meetings are televised. Tom Knott, a local engineer who is retired now, who serves on the Planning Board, pointed out at a wind load on a 30-foot high fence might not be exactly what they are looking for. So their Planning Board, the people the Commissioners appoint and ask to serve, already picked up on that problem and already sent it back to Staff. Isn't that nice that they delegate that and things get done right?

Commissioner Becht said one follow-up with Mr. Bergalis. The quarterly summaries on financial status, when can they expect to have their next quarterly summary?

Mr. George Bergalis, Director of Finance, said there has been at least one sent out and they are working on the other one now.

Commissioner Becht said okay. He would just like that set up so they can... The form of that summary is going to change with time and with the changing of the Commissioners. He knows Mr. Bergalis is very busy trying to get the annual budget balanced, but if they could just have some idea of when the next one is coming out.

Mr. Bergalis said they have not forgotten about it.

Commissioner Alexander said concerning the **Historic Preservation** exemptions for improvements. Is that a process? Is that something that the community has to come forward?

Mayor Benton said they have to apply for it after they have made the renovations.

Commissioner Alexander asked are they making the public aware that is available? Especially when it is coming before the Historic Preservation Board.

Mayor Benton said it should be, because most of the time when they fill out that application they get the packet that comes with it. If Ms. Powers was here, she could tell him more.

Commissioner Alexander said he saw it come before them tonight, and he thought that is an incentive at least. Because he remembers the other meeting they had a gentleman come in here complaining about not being able to restore his historical properties. He has got a couple of calls concerning that individuals have got some nasty phone calls about that. And he wants to know personally, he doesn't care if other Commissioners care or not, but he wants to know when

someone speaks out against the City, are they telling him the City has something to say about employees, anybody? He does not care if they want to admit to that they can harass the community or property owner in this community without something being said. Because if he makes a complaint, then somebody is going to have something to say about him making a complaint? He had a couple of phone calls disturbing to him, because he does not think that anyone on their staff would do it. But for them to make mention... He is not going to call any names. But he would like to know. Because it was just one comment lead to a couple of phone calls. And it is concerning to him that if anyone wanted to do something or say something against this community, that they have individuals that poke or thumb their nose. He does not like that. And he just wants to say that up front, that if anybody in this community has a complaint, feel free to call him as a Commissioner because he wants to find out. It is not trying to dig or make any kind of speak or anything, it is just he does not like to hear that, not as a Commissioner.

Mayor Benton said he mentioned this to Mr. Beach earlier today; but on his way home from the U.A. meeting, he got another phone call.

It has to do with restaurants and small businesses around town that put **signs** out, like a restaurant might have some specials. He guesses it has been told to businesses on the beach and north of downtown and also over on Georgia Avenue that they can't have these signs.

But downtown, they can. He is not talking about real estate signs.

He is talking about local businesses that put signs out at 8:00 in the morning and pull them in at night which just might mention their specials. He is hoping that this Commission can change that ordinance, he hopes they can leave them alone. He does not know what the ordinance says. It is hard enough for the small businesses to make it now. But going after them and making them put these signs away is hurting them.

City Manager Beach said he will find out the specifics on that and let them know what he finds out.

There will be a Special Meeting on Wednesday, September 5, 2007, beginning at 5:05 p.m. in the City Hall Commission Chambers, 100 North U.S. #1, Fort Pierce, Florida, for the purpose of conducting the first Public Hearing on the 2007-08 General Fund Budget.

There being no further business, Mayor Benton declared the meeting adjourned at 7:50 p.m.

Adjournment.

ATTEST:

CITY CLERK

MAYOR COMMISSIONER