



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

James Blucher, Mayor
Rhonda Y. DiFranco, Vice-Mayor
Cheryl Cook, Commissioner
Tom Jones, Commissioner
Linda M. Yates, Commissioner

APPOINTED OFFICIALS

Jonathan R. Lewis, City Manager
Helen Raimbeau, MMC, City Clerk
Patsy Adkins, CMC, Deputy City Clerk

Monday, September 8, 2014

1:00 PM

CITY COMMISSION CHAMBERS

CALL TO ORDER/ROLL CALL

The North Port City Commission Regular Meeting was called to Order September 8, 2014 at 1:00 p.m. in the Commission Chambers by Mayor Blucher.

Present: Mayor Blucher; Vice-Mayor DiFranco; Commissioners, Cook, Jones and Yates; City Manager Lewis; Attorney Robinson; City Clerk Raimbeau; and Deputy City Clerk Adkins

A Moment of Silence was held followed by the Pledge of Allegiance.

APPROVAL OF AGENDA – COMMISSION

A motion was made by Commissioner Cook, seconded by Commissioner Jones, to approve the Agenda pulling Item M. from the Consent Agenda. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

1. ANNOUNCEMENTS –CITY CLERK RAIMBEAU

A. 14-0505 Current Vacancies for Boards and Committees.

City Clerk Raimbeau read the current vacancies for the Advisory Boards and Committees into the record.

B. 14-0506 Upcoming Expiration Dates for Board Members.

City Clerk Raimbeau read the upcoming expiration dates for Advisory Board Members.

2. WELCOME OF NEW EMPLOYEES:

A. 14-0436 Introduction of New Employees

General Services Director Carmichael introduced the City of North Port's newest

employees.

3. PRESENTATIONS

A. 14-0501 Presentation from Conservation Foundation of the Gulf Coast Regarding McCall Ranch

Christine John, President of the Conservation Foundation of the Gulf Coast and Debbie Osborne Director provided a PowerPoint presentation regarding the preservation of Orange Hammock Ranch. Discussion ensued regarding: (1) currently, there is not a plan for the property; (2) the property meets the Florida Forever Projects; (3) the application was submitted for future funding; Commissioner Yates and Mayor Blucher expressed concern with including the entire property and not having a plan for the property; (4) the City has a future use plan for the property; (5) the owner wants to sell the property; (6) Mayor Blucher stated that he does not want the County, or State thinking that the City of North Port supports the entire property being use for conservation; (7) The Florida Forever application, is just an approval of the land owner to submit to get on the list for potential future funding, specific plans are not required. Thereafter, public comment was held.

A motion was made by Commissioner Cook, seconded by Vice-Mayor DiFranco, that the Presentation be requested. The motion failed by the following vote:

Yes: 2 - Vice-Mayor DiFranco and Commissioner Cook

No: 3 - Commissioner Yates, Commissioner Jones and Mayor Blucher

4. PUBLIC COMMENT: 2:06 p.m. - 2:12 p.m

5. CONSENT AGENDA:

A motion was made by Commissioner Cook, seconded by Commissioner Jones, to approve the Consent Agenda with the exception of Item M which was pulled from the Agenda in a previous motion. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

A. 14-0504 Approval of Minutes for the 07-14-2014 Commission Regular Meeting; 07-15-2014 Commission Budget Workshop; 07-21-2014 Commission Special Meeting; 07-22-2014 Commission Special Meeting; 07-24-2014 Commission Budget Workshop; 07-24-2014 Commission Special Meeting; 07-25-2014 Commission Workshop; 07-28-2014 Commission Regular Meeting; and 08-25, 2014 Commission Special Meeting.

B. 14-0458 State of Florida Department of Transportation Interlocal Agreement for Creation of the Metropolitan Planning Organization.

C. 14-0396 Utilization of Sarasota County Landfill for solid waste disposal in fiscal year 2015 at an estimated cost of \$1,452,760.

D. 14-0447 Annual contract renewal of Contract No. 2010-27 between the City of North Port and TPH Acquisition L.L.L.P. d/b/a The Parts House.

- E. 14-0449 Annual contract renewal of Contract No. 2013-22 between the City of North Port and J.H. Williams Oil Company and Petroleum Traders for Gasoline and Diesel Fuels - Supply and Delivery.
- F. 14-1603 Agreement with Ad-Vance Talent Solutions Inc., for additional field inspectors for the Road Bond Project for approximately \$280,300.
- G. 14-0429 Lease Renewal at the Family Service Center for Safe Place and Rape Crisis Center (SPARCC)
- H. 14-0438 Lease Renewal at the Family Service Center for The School Readiness Coalition of Sarasota County, Inc. DBA Early Learning Coalition of Sarasota County
- I. 14-0439 Lease Renewal with the Family Service Center with Sarasota County Technical Institute (SCTI)
- J. 14-0444 Lease renewal at the Family Service Center for Big Brother Big Sisters of the Sun Coast, Inc.
- K. 14-0464 Lease Renewal at the Family Service Center for Child Protection Center, Inc.
- L. 14-0468 Lease Renewal at the Education Center with North Port Senior Center, Inc.
- M. 14-0469 Lease Renewal at the North Port Education Center with Salvation Army - Venice Corps.
PULLED FROM THE AGENDA.
- N. 14-0470 Lease Renewal at the North Port Educational Center with Senior Friendship Center, Inc.
- O. 14-0453 Contract No. 2014 with D.R. Swanson Company for the Glenallen Water Main Extension Project in the total amount of \$134,796.00.
- P. 14-0461 Award of RFB No. 2014-38 to Synagro South, LLC for Biosolids Hauling, Disposal and Backup Dewatering Services for an amount not to exceed of \$300,000.
- Q. 14-0472 County-Wide Justice Assistance Grant
- R. 14-0450 Lease Agreement between the Charlotte County YMCA and the City of North Port to locate a modular unit at Dallas-White Park.

6. PUBLIC HEARINGS:

A. 14-0443 Ordinance No. 2014-30, second reading, Code Enforcement Special Magistrate.

Subsequent to City Clerk Raimbeau reading the Ordinance into the record, Attorney Robinson provided a brief overview.

Discussion ensued regarding: (1) it was noted that additional backup was provided and it was questioned why this was not included in the backup that was provided prior to the meeting; (2) it was clarified that the Special Magistrate was appointed at the previous meeting and this was just second reading of the Ordinance; (3) it was further explained that if the Ordinance does not pass on second reading than there will not be a Special Magistrate, but if the Ordinance passes then Attorney Robinson will become the Special Magistrate effective October 1, 2014; (4) Commissioner Yates expressed concerns about dual office holding in regards to Attorney Robinson being appointed both as Zoning Hearing Officer and the Special Magistrate; (5) Commissioner Yates stated that she would like to continue the Ordinance until after the new City Attorney begins with the City and believes that by approving the Ordinance the Commission will be appointing someone to hold dual offices; (6) The Ordinance conflicts with the Charter in regards to the duties of the City Attorney relating to Code Enforcement. Thereafter, public comment was held.

A motion was made by Commissioner Cook, seconded by Commissioner Jones, to approve Ordinance No. 2014-30. The motion carried by the following vote: Commissioner Yates dissented for reasons stated previously

Yes: 4 - Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

No: 1 - Commissioner Yates

Recess 3:02 - 3:17 p.m.

B. 14-0462 Ordinance No. 2014-27, first reading, amending section 78-31 of the City of North Port Code of Ordinances relating to responsibility for collection, distribution and transmission costs.

A motion was made by Commissioner Jones, seconded by Commissioner Cook, to read the Ordinance by title only. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

Subsequent to City Clerk Raimbeau reading the Ordinance into the record, City Manager Lewis and Interim Public Utilities Director Newkirk provided an overview of Ordinance No. 2014-27 and Business Manager Desrosiers provided a Power Point Presentation of the changes necessary to implement the expansion program.

Discussion ensued regarding: (1) the payment arrangement process for citizens; (2) it was noted that this is a voluntary expansion program; (3) it was explained that the seller can negotiate the remaining balance with the buyer of the property; (4) it was clarified that if the property is owned by two individuals, one individual could continue with the payment plan in the event of death, divorce etc.; it was noted that the ordinance would be changed to reflect the removal of the Tamami Trail Appearance Review Board, which no longer exists; (5) additional pilot programs will be brought to the Commission for approval, prior to being implemented. There was no public comment.

A motion was made by Commissioner Cook, seconded by Commissioner Jones,

that Ordinance No. 2014-27 be continued to the September 22, 2014 Commission Regular Meeting for second reading. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

C. 14-0442 Ordinance No. 2014-32, first reading, City Commission Compensation.

A motion was made by Commissioner Jones, seconded by Commissioner Cook, to ready Ordinance No. 2014-32 by title only. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

After City Clerk Raimbeau read the Ordinance into the record, City Manager Lewis provided a brief overview of Ordinance no. 2014-32. There was no public comment.

A motion was made by Commissioner Cook, seconded by Commissioner Jones, to continue Ordinance No. 2014-32 to the September 22, 2014 Commission Regular Meeting for second reading. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

D. 14-0466 Ordinance 2014-33, first reading, amending the Non-District Budget.

A motion was made by Commissioner Jones, seconded by Commissioner Cook, to read Ordinance No. 2014-33 by title only. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

City Clerk Raimbeau read Ordinance No. 2014-33 into the record by title only, subsequently City Manager Lewis provided an overview of the Ordinance.

Discussion ensued: (1) Mayor Blucher stated that he is not in favor of moving the three million dollars out of the escheated lots fund to be used for purchasing Sarasota County's portion of Warm Mineral Springs. There was no public comment.

A motion was made by Commissioner Cook, seconded by Commissioner Jones, to continue Ordinance No. 2014-33 to the September 22, 2014 Commission Regular Meeting for second reading. The motion carried by the following vote: Mayor Blucher dissented for reason stated above.

Yes: 4 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook and Commissioner Jones

No: 1 - Mayor Blucher

7. RESOLUTIONS

A. 14-0485 Resolution No. 2014-R-16, supporting the Helping Families in Mental Health Crisis Act (H.R.3717) Bill co-sponsored by U.S. Representative Vern Buchanan and Representative Tim Murphy of Pennsylvania.

City Clerk Raimbeau read Resolution No. 2014-R-16 into the record by title only.

Mayor Blucher provided a brief overview.

Danny Bileu representative for Congress Vern Buchanan's Office was present to answer questions.

Discussion ensued: (1) subsequent to a question, Mr. Bileu reported that they are looking to reallocate some funding from mental health programs, but do not want to take away from one program to fund another; (2) Mr. Bileu stated that having the Town Hall meetings has brought an awareness to which areas of mental health need to be improved. There was no public comment.

A motion was made by Vice-Mayor DiFranco, seconded by Commissioner Yates, to approve Resolution No. 2014-R-16. The motion carried by the following vote:

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

B. 14-0500

Resolution 2014-R-17 authorizing the acquisition of real property known as Warm Mineral Springs and providing the authority to the Mayor, Vice-Mayor, City Manager or his designee to execute any documents necessary to close the transaction.

City Clerk Raimbeau read Resolution No. 2014-R-17 into the record by title only. City Manager Lewis provided an overview of the Resolution.

Discussion ensued: (1) subsequent to a question, it was clarified that the survey has not been completed and that there was a minor title issue regarding vacation of some roads; (2) a closing date has not been set; (3) it was noted that more information will be available after the County Commission meetings tomorrow; (4) it was requested that Mayor Blucher attend the County Commission Meeting tomorrow (September 9, 2014); (5) Mayor Blucher stated that he will not vote in support of the Resolution, he is not in favor of purchasing Sarasota County's portion of Warm Mineral Springs. There was no public comment.

A motion was made by Commissioner Yates, seconded by Vice-Mayor DiFranco, to approve Resolution No. 2014-R-17. The motion carried by the following vote: Mayor Blucher dissented for reason stated previously.

Yes: 4 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook and Commissioner Jones

No: 1 - Mayor Blucher

8. PUBLIC COMMENT:

There was no public comment.

9. SCHEDULING OF WORKSHOPS:

Vice-Mayor DiFranco and Mayor Blucher requested that a discussion regarding Medical Marijuana be added to the Commission Monthly Workshop List.

There was a consensus for the City Manager to contact all three of the consultants who submitted proposals regarding Districting for the Commission Seats and bring an agreement back to the Commission for approval.

Yes: 5 - Commissioner Yates, Vice-Mayor DiFranco, Commissioner Cook, Commissioner Jones and Mayor Blucher

10. COMMISSION REPORTS:

Commissioner Yates - (1) reported that she did not have any Committee Meetings in the month of August; (2) she will be attending the Manasota League of Cities Meeting on September 11, 2014; (3) reported that she will be attending the Metropolitan Planning Organization (MPO) Meeting on September 15, 2014; and (4) stated that she had not received answers to her questions from the City Attorney prior to the end date of his contract.

Vice-Mayor DiFranco - (1) reported that she attended the Florida League of Cities Legislative Policy Committee for Urban Administration; attended the Florida League of Cities Conference that was held in Hollywood Florida in August and was appointed to the Medical Marijuana Task Force.

Commissioner Jones - reported that he will be attending the Florida League of Cities Legislative Policy Committee Meeting September 12, 2014;

Commissioner Cook - (1) reported that she attended the Florida League of Cities Conference that was held in Hollywood Florida in August; (2) it was stated that she will be attending the Florida League of Cities Legislative Policy Committee Meeting September 12, 2014; (3) reported that the Charlotte Harbor National Estuary Program moved their location to Punta Gorda; (4) expressed the importance of attending Florida League of Cities Events as they are advocates of Home Rule for Cities.

Mayor Blucher - (1) reported that he attended the Florida League of Cities Conference; (2) attended the Economic Development Corporation of Sarasota County Annual Meeting; (3) stated that the City of North Port has had articles in Trend Magazine; (4) Mayor Blucher thank Attorney Robinson for his service to the City of North Port as the City Attorney.

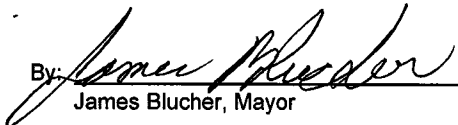
11. ADMINISTRATIVE AND LEGAL REPORTS:

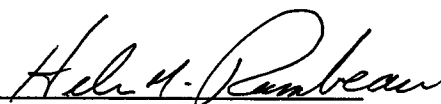
City Manager Lewis - (1) reminded the community that the 9-11 Remembrance Ceremony will be held in the round-about in front of City Hall on September 11, 2014 at 8:30 a.m.; (2) today the Utilities Department received an award for the City of North Port's Water Reuse Program at the National WaterReuse Association Symposium.

12. ADJOURNMENT:

Mayor Blucher adjourned the Commission Regular Meeting at 3:58 p.m.

City of North Port, Florida

By: 
James Blucher, Mayor

Attest: 
Helen M. Raimbeau, MMC, City Clerk

Minutes approved at the City Commission Regular Meeting this 14th day of October, 2014