

**NORTH PORT CITY COMMISSION  
MINUTES OF REGULAR MEETING  
MONDAY, JULY 14, 2003**

Present: Commissioner Gross, Chair; Commissioner Fink, Vice-Chair; Commissioners Berryman, Carusone and Lockhart; Assistant City Manager Lewis; City Attorney Robinson; City Clerk Raimbeau; Police Captain Lake; Recording Secretary Hall.

---

**COMMISSION REGULAR MEETING**

The Regular Meeting of the North Port City Commission was called to order at 6:00 p.m. in the City Chambers by Chair Gross.

**CALL TO ORDER/ROLL CALL**

**INVOCATION/PLEDGE OF ALLEGIANCE – CHAIR GROSS**

Chair Gross delivered the Invocation, followed by the Pledge of Allegiance led by the Commission.

**APPROVAL OF AGENDA – COMMISSION**

*Commissioner Fink moved to approve the Agenda with the following changes - under #5 General Business items "L" and "P" be moved up; Commissioner Lockhart requested that item "I" be moved up; seconded by Commissioner Lockhart. The motion carried unanimously.*

**PRESENTATION:**

A. Presentation by Gator Water Analysis and Treatment, Inc.

Mr. John Perry, representing Gator Water Analysis and Treatment, Inc., provided a presentation regarding chlorides in the water.

In an effort to coordinate and develop partnerships in this venture, the representatives requested the Commission to buy into a partnership with a non-profit organization, to assist Gator Water Analysis and Treatment, Inc. with a study and financial support.

Thereafter, Chair Gross presented Commissioner Carusone with a certificate for completion of a Florida League of Cities course, "Institute for Elected Municipal Officials".

Subsequent to public comment, Assistant City Manager Doug Lewis stated that he would work with the Road and Drainage Department to explore and resolve the parking issues at 4356 Dekle Avenue.

1. COMMUNICATION FROM CITY MANAGER, CITY ATTORNEY, CITY CLERK AND CITY COMMISSION:

ASSISTANT CITY MANAGER LEWIS: Nothing to report.

CITY ATTORNEY ROBINSON:

Attorney Robinson stated prior to the next Commission meeting, he requested the City Clerk schedule two Executive Sessions to review 2 active pieces of litigation, for further guidance from the Commission.

CITY CLERK RAIMBEAU:

1) After City Clerk read a letter from Wilma Hamilton, Superintendent of Schools, it was a *consensus that Mr. Ken Marsh be designated as the School District, non-voting, representative from North Port*; 2) requested that all Commissioners "cc" copies of their emails for recordkeeping.

COMMISSIONER FINK:

1) Requested that Planning and Zoning Department Director, Sam Jones, provide a ruling from the City Attorney's Office on deed restrictions for lots along U.S. 41; 2) Requested Public Works Director Juliana Bellia contact Mr. Cutler and provide an update regarding the issue of whether a barrier will be put up at Salford & U.S. 41 In addition, address the concerns of landscaping/trash; 3) After reporting a complaint regarding the algae on Blue Ridge Lake, Public Works Director Juliana Bellia requested that the citizen call Road & Drainage; 4) Requested Staff investigate the problems at Otis Road and prepare an update for the next Commission meeting.

COMMISSIONER BERRYMAN:

1) After referring to a map that the GIS Department had prepared, Commissioner Berryman requested that GIS provide the same map for the lobby at City Hall; 2) After requesting status of the driveway at the Harnum's house, Ms. Bellia reported that the driveway and pedestrian bridge on Biscayne Drive and the Myakkahatchee Creek are awaiting approval from SWFWMD; 3) Requested improvements to Blue Ridge Lake; fish to be stocked, grass to be mowed and the gnat problem be resolved; 4) Requested the status on BLOAT.

COMMISSIONER LOCKHART:

After requesting that a private attorney investigate problems in the City Clerk's office, Commissioner Lockhart did not receive a consensus, the vote was three-to-two (3-2), Commissioners Carusone, Fink and Gross dissenting.

COMMISSIONER CARUSONE:

1) Presented concerns regarding the taping of union negotiations; 2) After referring to the Youth Advisory Board letter, City Clerk reported that corrected letters have been sent out; 3) Requested that a SCAT forum be scheduled in August and requested the use of the City Chambers. Proposed changes would be submitted to the Commission which would allow the Commissioners to provide opinions and suggestions. ***Consensus to have City Clerk work on a presentation for the Commission.***

COMMISSIONER GROSS:

1) Requested the City Attorney to provide a legal opinion regarding the taping of union negotiations; 2) Reported that she has been appointed to the Florida League of Cities Resolutions Committee. Copies will be provided regarding all Resolutions that will be presented; 3) Explained that Manasota League is arranging a tour of the Desal Plant at Tampa Bay and it was requested that Commissioners and staff attend; 4) Reported that since the City will be hosting the Manasota League dinner that is scheduled for October 15<sup>th</sup>, it will be held at the Heron Creek Club House; 5) After reporting that Representative Clark has placed legislation in the extended session, Commissioner Gross received a ***consensus for support to the City of Sarasota regarding legislation to eliminate the Tough Man Contest.***

2. CONSENT AGENDA:

- A. Consider approval of the following Minutes: June 22, 2003 Special Emergency Meeting; June 23, 2003 Regular Meeting; June 24, 2003 Special Meeting; June 30, 2003 Special Meeting; June 30, 2003 Workshop Meeting.
- B. Consider approval of appointment to the Transportation Advisory Board.  
***Mr. Mark Suggs was appointed to the Transportation Advisory Board.***
- C. Consider approval of appointment to the Tamiami Trail Appearance Review Board.  
***Mr. Harold Muxlow was appointed to the Tamiami Trail Appearance Review Board.***
- G. Consider approval of the purchase of Board and Committee Badges at a cost of \$1,000.
- H. Consider approval of Sole Source Purchase of Easy-Set Precast Concession/Restroom Building.
- I. Consider authorizing the Chairperson to sign a professional services agreement with STH Architectural Group, Inc. for the design of the new City Hall and Police Station in the amount of \$458,055 (Phase B).
- J. Consider approval of Agreement No. 03-14; Water, Wastewater and Reclaimed Water Rate Study with Public Resources Management Group, Inc.

- K. Consider approval of Agreement No. 03-08, Engineering Services for Utility Master Plan with Black & Veatch Corporation.
- L. Consider approval of 2003 Polling Place Agreement regarding the Bond Referendum Election to be held August 26, 2003.
- M. Consider approval of May 2003 Cash Receipts Summary.

*Commissioner Fink moved to approve the Consent Agenda except for Items D, E, and F; seconded by Commissioner Berryman. The motion carried unanimously.*

- D. Consider approval of appointments to the All Terrain Vehicles (ATV) Ad Hoc Committee. John A. Wilson, Ron Spirk, Kenneth Swallow, Carol Mejia, Jacob D. Schnieir, Carolyn Busch, Kevin J. Vaughan were appointed to the All Terrain Vehicles (ATV) Ad Hoc Committee.

Commissioner Fink pulled Item D to note that Mr. John A. Wilson was present and the members of the All Terrain Vehicles (ATV) Ad Hoc Committee. He explained that the charge of their Committee was put in place by the Commission.

*Commissioner Fink moved that Item #D be approved as presented; seconded by Commissioner Carusone. The motion carried unanimously.*

- E. Consider permission for placement of six banners (4' x 6'), one week in advance in the city rights-of-way for a "Party in the Park" to be held at Dallas White Park on August 8, 2003.

After Commissioner Lockhart questioned the locations of the six banners, Parks & Recreation Manager Bill Ward explained the strategic locations were chosen to promote the upcoming event.

*Commissioner Lockhart moved that Item #E be approved as presented; seconded by Commissioner Berryman. The motion carried unanimously.*

- F. Consider waiver of permitting fees and impact charges for a Habitat for Humanity home to be built on Beeber Street.

After Commissioner Fink presented questions, Commissioner Gross clarified that this is for the usual building permits and not for the water and sewer hook-ups. Mr. Frank Gurney, Habitat for Humanity Venice Area, Inc. and Roy Sprinkle, Assistant Principal of North Port High School, provided a brief overview.

*Commissioner Fink moved that Item #F be approved as presented; seconded by Commissioner Berryman. The motion carried unanimously.*

3. **PUBLIC HEARING:**

- A. First Reading of Ordinance No. 03-25, rezoning ±.25 acres from Residential Single Family-2 (RSF-2) to Government Use (GU) for expansion of the North Port Library.

*Commissioner Fink moved that Ordinance No. 03-25 be read by title only; seconded by Commissioner Berryman. The motion carried unanimously.*

City Clerk Raimbeau read Ordinance No. 03-25 by title only, and swore in all those wishing to give testimony.

Planning and Zoning Department Director Sam Jones explained that this is for the expansion of the North Port Library and at a public hearing on June 19, 2003 the Planning and Zoning Advisory Board recommended with a 7-0 vote that the City Commission approve this rezoning. Therefore, Staff recommends that the City Commission approve, with conditions, the North Port Library rezoning. Thereafter, public comment was held.

*Commissioner Fink that Ordinance No. 03-25, rezoning ±.25 acres from Residential Single Family-2 (RSF-2) to Government Use (GU) for expansion of the North Port Library be continued for Second Reading at the July 28, 2003 Regular Commission Meeting; seconded by Commissioner Berryman. The motion carried unanimously.*

4. **RESOLUTIONS:**

- A. Resolution No. 03-R-28, allowing for three temporary portable classrooms and one temporary portable administration building on four lots zoned Residential Single Family-2 (RSF-2).

City Clerk Raimbeau read Resolution No. 03-R-28 into the record in its entirety.

Planning and Zoning Department Director Sam Jones reported that this is a housecleaning item – in the first WHEREAS in the Resolution (5<sup>th</sup> line down) May 1, 2002 should be changed to May 1, 2003. Also in Exhibit “B” (#1 “from the eastern edge of Lot 40”, should be “western edge of Lot 39”). The sidewalk would go all the way to Jeannin Drive. There is no existing sidewalk in front of the school today. Public comment was held.

Subsequent to discussion, *Commissioner Fink moved that Resolution No. 03-R-28 be approved with conditions for the culverts to be removed on Knotty Pine Avenue; seconded by Commissioner Berryman. The motion carried unanimously.*

- B. Resolution No. 03-R-29, amending Resolution No. 94-R-29 and Resolution No. 98-R-7, regarding an existing Conditional Use Permit to allow for additional building and parking facilities at St. Sava Serbian Free Orthodox Church.

City Clerk Raimbeau read Resolution No. 03-R-29 into the record in its entirety, thereafter Planning and Zoning Department Director Sam Jones commented this has been presented to the Commission and there are no errors or corrections in the Resolution.

Subsequent to Commission comments, there was no public comment.

*Commissioner Fink moved that Resolution No. 03-R-29 be approved as presented; seconded by Commissioner Berryman. The motion carried unanimously.*

**RECESS:** (7:45 p.m. – 8:00 p.m.)

- C. Resolution No. 03-R-33, adopting the attached MGT Pay and Classification Update, and amending the current City of North Port Pay Plan, as required by the Personnel Rules and Regulations, and providing for an effective date.

City Clerk Raimbeau read Resolution No. 03-R-33 into the record in its entirety, thereafter Assistant City Manager Lewis explained that on February 10, 2003 the North Port City Commission approved an agreement with MGT of America. The scope of this agreement was to provide an update to the existing Classification Plan for all non-union employees. The cost for this update was \$9,450. MGT has recommended salary adjustments for twelve employees, which can be found on Exhibit A. The rest of the salaries were consistent when evaluated using the external market and internal equity data. The study also recommended the addition of five new classification titles to support the organizations growth needs which can be found on global 4-3. The cost to implement this Pay and Classification update is approximately \$13,932.39. Public comment was held.

Subsequent to discussion, *Commissioner Fink moved that Resolution No. 03-R-33 be approved as presented; seconded by Commissioner Berryman. The motion carried unanimously.*

5. **GENERAL BUSINESS:**

- A. Discussion, and possible action, to engage other professional services for the City's Hospital Initiative.

Commissioner Lockhart requested that the City Commission consider engaging other professional services for the City's Hospital Initiative including withdrawal from the Sarasota County Hospital District Authority, formation of a governing body for an Acute Care Hospital facility and acquiring a Certificate of Need, etc.

Mr. Frank Menke, representing Mr. Dennis Fullenkamp who are both property owners in North Port, provided an overview of the goal for a full service hospital in North Port and the objective to have an independent Hospital Authority for the City. It is their

belief there are four paths to reach the goal to have an acute care hospital and a 24-hour emergency care service center.

Commissioner Fink stated it is his hope that the Commission refer to Mr. Menke's recommendations and instruct Staff to come back with proposals.

Commissioner Carusone explained that this agency would work specifically for the City and not the other area hospitals. She agreed with Mr. Menke and Commissioner Fink and asked that these firms come back with a more thorough search into what they have done and make sure that they have not been hired recently for Sarasota Memorial Hospital.

City Attorney Robinson confirmed that the City of North Port has a contract with only Ruden McClosky and that Ruden McClosky has no relationships with any of the other hospitals in this area. Thereafter, public comment was held.

- B. Discussion, and possible action, on an Acute Care Hospital: (1) Whether the City of North Port should withdraw from the Sarasota County Hospital Authority and the process for such withdrawal; (2) What entity should be formed to govern an Acute Care Hospital facility if one is authorized and constructed in the City of North Port; (3) An explanation of a Certificate of Need process for acquiring an Acute Care Hospital in the City of North Port; (4) Estimated budget for the Certificate of Need process.

Chair Gross commented that Sarasota Memorial takes care of 3% of North Port citizens. St. Josephs Hospital is taking care of obstetrics patients from North Port. All firms should provide a presentation and write a proposal to inform the Commission what they have done and what their track record is. The same issues need to be addressed for the lobbyist next year, because if the City is venturing to be released from the Hospital Authority, the need for someone who has a lot of clout is important. Public comment was held.

*Commissioner Lockhart moved that the City engage in other professional services suggested by Frank Menke for the City's Hospital initiative; specifically, to have the Chair and City Manager, along with Mr. Menke's and Mr. Fullenkamp's input and then move on; seconded by Commissioner Berryman.*

Chair Gross clarified what the 2 goals are: 1) The CON to recapture beds; and 2) An independent Hospital Authority. She also expressed her desire to include the Barclay group since they have already done some work for the City.

Subsequent to further discussion, *Commissioner Fink moved to amend the motions to give the charge when the three firms are investigated, for a certificate of need (CON) to recapture beds and the Independent Hospital Authority; seconded by Commissioner Berryman. The amended motion carried unanimously.*

After Chair Gross and Commissioner Carusone requested that Mr. Barclay be included, *Commissioner Carusone moved to amend the amendment; seconded by Commissioner Fink. The motion to amend the amendment carried unanimously.*

*The motion was that the City engage in other professional services suggested by Frank Menke for the City's initiative; specifically, to have the Chair and City Manager, along with Mr. Menke's and Mr. Fullenkamp's input and then move on; Fuller Firm, Eckerd, McKinley and Barclay submit a proposal, including a CON to recapture beds and an independent Hospital Authority. The motion carried unanimously.*

**RECESS:** (10:15 p.m. – 10:20 p.m.)

C. Discussion, and possible action, regarding Deputy City Clerk position.

After discussion, City Clerk read the 3 top candidates chosen by the Commission for an interview, Barbara Geist, Patsy Adkins and Susan Carleton. *Commissioner Berryman moved that Barbara Geist, Patsy Adkins and Susan Carleton be contacted for interviews for the Deputy City Clerk position; seconded by Commissioner Fink. The motion carried unanimously.*

It was agreed that the City Clerk schedule the interviews for Thursday, July 31, 2003. and that the candidates would be reimbursed for costs involved. There was no public comment.

D. Consider authorization to implement the Adopt-A-Park Program.

Parks & Recreation Department Manager, Bill Ward, stated the Parks and Recreation Division will oversee the Adopt-A-Park Program. It will be promoted through public notices. Applicants will be required to undergo a conditional use review and will receive guidance to help coordinate their approved work projects. Safety guidelines have been included to inform volunteer groups to work responsibly.

The City Attorney's office has reviewed all proposed draft Agreements and has recommended to use the Agreement attached in the application packet. Public comment was held.

*Commissioner Carusone moved to approve the implementation of the Adopt-A-Park Program; seconded by Commissioner Fink. The motion carried unanimously.*

E. Discuss, and take action, on a Quitclaim Deed between the City of North Port and KEB, Inc., related to a billboard site mistakenly conveyed to the City by the later entity.

Assistant City Manager Doug Lewis stated Douglas W. Grissinger, Attorney-at-Law, has requested that the City approve a quitclaim deed relating to one billboard site that

was mistakenly conveyed to the City by KEB, Inc. and is approximately 4000 square feet. Staff recommends approval. There was no public comment.

***Commissioner Fink moved that the Quitclaim Deed between the City of North Port and KEB, Inc. related to a billboard site mistakenly conveyed to the City by the later entity be approved; seconded by Commissioner Carusone. The motion carried unanimously.***

- F. Consider approval of Developer's Agreement between the City of North Port and Community Development District at Bobcat Trail.

Utilities Director Cindy Mick explained the Community Development District at Bobcat Trail has presented plans to construct an 8-inch gravity sewer system that will replace the existing system and service the proposed Bobcat Trail Fitness Center. The existing gravity sewer system has to be relocated and replaced to facilitate the proposed fitness center. The new gravity system will service both the existing connections and future connections at the Bobcat Trail Center. The project includes water and domestic wastewater facilities that will be dedicated to the City at no cost. The development has reserved 6 Equivalent Residential Units (ERC's) which by agreement will be paid on or before July 21, 2003. The development is located off of Bobcat Trail with the Bobcat Subdivision. There was no public comment.

***Commissioner Berryman moved to approve the Developer's Agreement between the City of North Port and Community Development District at Bobcat Trail; seconded by Commissioner Carusone. The motion carried unanimously.***

- G. Consider authorizing the Chair to sign a Letter of Understanding with the firm of Pennington, Moore, Wilkinson, Bell and Dunbar for professional lobbying services from October 1, 2003 to September 30, 2004.

Following discussion, ***Commissioner Fink moved to continue Item #G to the next meeting July 28, 2003; seconded by Commissioner Berryman. The motion carried unanimously.***

- H. Consider approval of Engagement Agreement between Charles D. Bailey, III and the City of North Port to provide legal counsel to the Certificate of Competency Licensing Board.

***Commissioner Fink moved to approve the engagement agreement between Charles D. Bailey, III and the City of North Port to provide legal counsel to the Certificate of Competency Licensing Board; seconded by Commissioner Lockhart. The motion carried unanimously.***

- I. Consider authorizing Thompson, Sizemore & Gonzalez, P.A., specifically Deborah C. Brown, to provide chief negotiator services during the upcoming

negotiations with the local P.B.A., at a cost not to exceed \$12,000 plus costs and expenses.

Human Resources Manager Lori Bigness stated on June 25, 2003 the local P.B.A. representative, Mr. Tom Stella, advised the City of their interest in initiating new contract negotiations. In Mr. Stella's letter, he informed the City that the P.B.A. has selected Mr. Dick Brickman, a professional negotiator, to act as chief negotiator for the Union. In anticipation of these union negotiations the City Manager would like to hire Ms. Deborah Brown from the firm of Thompson, Sizemore & Gonzalez to head the City's negotiating team. Ms. Brown has experience and negotiated last year's negotiations with both P.B.A. and Fire and is aware of all of the history that the City has had for the past 4 years. The City Manager would like for Ms. Bigness to co-chair negotiations with Ms. Brown.

Commissioner Fink asked City Attorney Robinson, that if the Commission agreed with Mr. Stella's proposal, what would happen to the \$7,000 owed to Ms. Brown? Is there anything in Charter or Code that would not allow the Commission to review Mr. Stella's proposal for the hiring of Attorney Brown?

City Attorney Robinson stated there may be 2 legal aspects to questions: The legal aspects of the questions would relate to "how does Florida's Government of Sunshine and Public Records laws effect the City's position in caucus and labor negotiations"? There are provisions which relate to this. There is another aspect to the issue that relates to the inter-relationship between the City Charter, City Code, City Manager, City Commission and the P.B.A. and to arrive at a contract. As City Attorney, he would review for correctness and form but would be not be involved in any other aspect.

Commissioner Fink requested that the City Attorney research the issue and bring back to the Commission at the next meeting.

Commissioner Lockhart stated he is not in favor of authorizing Thompson, Sizemore & Gonzalez, specifically Deborah Brown, for negotiations. The "plus costs and expenses" could go over the \$12,000 and is a waste of money.

Commissioner Carusone stated she is not against having a professional firm represent the City but does not feel this firm is appropriate.

Assistant City Manager Lewis commented that he recommends hiring a professional, such as Attorney Brown, to initiate union negotiations. Thereafter, public comment was held.

Subsequent to further discussion, *Commissioner Fink moved to put this item off until the next meeting and the City Attorney come back with ramifications and the City Manager be made aware of the situation and have him come back with ramifications; seconded by Commissioner Berryman. The motion carried unanimously.*

- J. Discuss, and take action, on a request by Sarasota County Acquisition Agent, Kathleen E. Dearden, to have the City issue a letter in support of their tentative agreement with Charlotte Sarasota Holdings, L.L.C. to exchange lots in North Port.

Assistant City Manager Doug Lewis explained the request to exchange lots along Price Blvd. and Acadian Terrace; there are roughly 17 lots that would be exchanged. This is to preserve the historic district in exchange Charlotte Sarasota Holdings, L.L.C. will receive 25 lots that are identified throughout the City of North Port. There was no public comment.

*Commissioner Berryman moved to approve the request by Sarasota County Acquisition Agent, Kathleen E. Dearden, and have the City issue a letter in support of their tentative agreement with Charlotte Sarasota Holdings, L.L.C. to exchange lots in North Port; seconded by Commissioner Carusone. The motion carried unanimously.*

- K. Discussion, and possible action, on the Englewood Water District Board of Supervisors letter seeking the City's intention to honor their established service area.

Commissioner Fink stated their boundaries are designed by State Statute as a District and he thinks there should not be a problem at all honoring their District whether or not it is in the City of North Port and a letter should be drafted. It was noted that cooperative effort is a good thing and would hope that the Englewood District deal with the City's system. There was no public comment.

*Commissioner Fink moved that a letter be drafted and the Chairperson be authorized to sign; seconded by Commissioner Lockhart. The motion carried unanimously.*

Chair Gross commented that if North Port lets Charlotte County know their boundaries will be honored, other issues can be negotiated. If North Port doesn't honor the service area, the City will have to go to the legislature and have them change the service area with an Agreement.

Commissioner Carusone stated it should be added, that under the condition, the City agrees in the future that an Interlocal Agreement will be best for both entities, as a cooperative effort. There was no public comment.

- L. Discussion, and possible action, regarding the Tamiami Trail Appearance Review Board.

Commissioner Fink explained that the Tamiami Trail Appearance Review Board has been questioned by the County Commission, and after reviewing the material, it is found the Board is doing exactly what the Commission asked them to do.

Commissioners Carusone and Lockhart commended TTARB and said they are doing exactly what the Ordinance states they should be doing. Chair Gross stated this Board has done an excellent job enforcing the Ordinance and she is concerned that the Economic Development Advisory Board discusses the fact, that this Ordinance is keeping people from coming to North Port. She read correspondence from the Economic Development Manager, which stated that he is in the process of working with a national company who is considering North Port for relocation. Public comment was held.

*Commissioner Fink moved the Commission at the City of North Port finds the Tamiami Trail Appearance Review Board has acted totally in accordance with the intent of Ordinance No. 02-23 in upholding design standards along the U.S. 41 corridor; seconded by Commissioner Carusone. The motion carried unanimously.*

M. Request for clarification regarding Boards that are adjudicate act as quasi-judicial Boards.

Commissioner Fink asked for clarification – are Boards that adjudicate – act as quasi-judicial and present findings to either the Commission or staff but are limited by appellate process to have reversal or affirmation of those decisions made by Commission rather than City Court and have no FS background – are they “Advisory” or not?

City Attorney Robinson explained to determine that a Board is not advisory is whether the Commission has conveyed to them any sovereign powers. Example – Zoning Board of Appeals – the Commission vested them with certain authority – authority the Commission may have had previously and that Board is not advisory. The appellate process is outlined in the Code and is very specific. No public comment was held.

N. Discussion, and possible action, regarding MGT Employee’s Survey.

After Commissioner Fink requested an update regarding the MGT Employee’s Survey, Assistant City Manager Lewis said the first survey will be distributed at 6:00 a.m. July 15, 2003. The MGT Employee’s Survey will be voluntary.

Subsequent to Commissioner Fink’s inquiry City Attorney explained the MGT Employee’s Survey may be anonymous, due to the signature not being required. It was noted that it is a public record.

Mr. Lewis reported that the last survey will be done on July 17, 2003 at 3:00 p.m. and the Commission will receive it between 30-45 days. Public comment was held.

O. Discussion, and possible action, regarding parking in right-of-way in front of someone else’s property on a regular basis.

Commissioner Fink reported that he has been contacted by a resident who complained about a neighbor parking a boat and trailer on the right-of-way, in the swale, in front of the resident's home on a regular basis and there is nothing in the City Code to stop this.

Following discussion, Commissioner Fink received a *consensus to have Staff provide appropriate Ordinance change to deal with right-of-way parking and to make it only an occasional thing and not a regular practice.*

Chair Gross suggested that if it is more involved, Staff place it on an Agenda for further discussion. Thereafter, public comment was held.

P. Discussion, and possible action, regarding problems at 8651 Sydney Avenue.

Commissioner Fink reported that there are problems at the above address and it doesn't appear that anything has been done. There are bushes in the swale that obstruct traffic, other problems with pools, health hazards and blocking of sidewalks. It has been an ongoing problem for the neighborhood and if Staff is going to do something about it, the Commission won't have to take any action.

Building Director Scott Williams said this is an issue that has not been brought to his attention, and there is a violation. Code Enforcement is taking action. There were 10 different actions taken on this, 8 of which were pertaining to impending growth or violations to that issue. The pool is a new issue and he will be researching the issue. .

After Commissioner Fink reported that this issue was brought up about a year ago, Mr. Williams stated 2 of the other violations pertained to the screen on the pool cage; the owner has been cited as a repeat offender.

Ms. Bellia reported that it is in the best interest of the City to have Road & Drainage crews cut the trees down, because it would be difficult to trim them back and top them off.

Subsequent to Public Comment about the mosquito problem and the City not having a regular schedule for spraying, the Commission requested the issue be researched. There was no public comment.

*Commissioner Fink moved to adjourn the Regular Meeting of the City Commission; seconded by Commissioner Lockhart. The motion carried unanimously.*

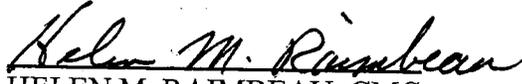
The Regular Meeting of the City Commission adjourned at 11:05 p.m.

CITY OF NORTH PORT, FLORIDA

BY:

  
BARBARA L. GROSS, COMMISSIONER  
CHAIRPERSON

ATTEST:

  
HELEN M. RAIMBEAU, CMC  
CITY CLERK

Minutes approved at a Regular Commission Meeting on 28<sup>th</sup> day of July, 2003.