



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes City Commission Special Meeting

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Wednesday, July 12, 2017

9:00 AM

CITY COMMISSION CHAMBERS

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### Continued Review of the City Charter

**NOTE: This is a draft copy of the minutes of the 07-12-2017 Commission Special Meeting, has not been approved by the Commission and is subject to change.**

### CALL TO ORDER/ROLL CALL

The North Port City Commission Special Meeting was called to order at 9:05 a.m. in City Chambers by Mayor Yates.

Present: Mayor Yates; Vice-Mayor Carusone; Commissioners Hanks, Luke and McDowell; City Manager Lear; Assistant City Manager Schult; Interim City Attorney Slayton; City Clerk Adkins; Recording Secretary Hale; Assistant Police Chief Pelfrey and Police Captain Morales.

Charter Review Advisory Board Members: Chair David Samuel; Vice-Chair Pete Pedersen; Eileen Murphy-Bartolotta; Robert Smith; Cory Hutchinson; Justin Willis.

Guest: Connie Brunni.

**The Pledge of Allegiance was led by the Commission.**

### **1. APPROVAL OF AGENDA – COMMISSION**

***A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to approve the agenda as presented. The motion carried by the following vote:***

**Yes:** 5 - Mayor Yates, Vice-Mayor Carusone, Commissioner Hanks, Commissioner Luke and Commissioner McDowell

***A motion was made by Commissioner Hanks, seconded by Commissioner Luke, to suspend the Commission Procedure Rules for this meeting. The motion carried by the following vote:***

**Yes:** 5 - Mayor Yates, Vice-Mayor Carusone, Commissioner Hanks, Commissioner Luke and Commissioner McDowell

### **2. PUBLIC COMMENT:**

- A.** [17-1181](#) Discussion and possible action regarding proposed changes to the City Charter

Following a brief overview, clarification was provided that Charter Review Advisory Board members were invited to attend this Special Meeting and are encouraged to interact during this agenda item. Thereafter, Board Vice-Chair Pete Pedersen reported that "or revenue bonds" was omitted from Section 1.02(b) in Ms. Brunni's working document provided to the Commission, hereafter called the working document.

***There was a consensus that verbiage was left out of Section 1.02(b) and should be back in. The text shall read "No general obligation or revenue bonds shall be issued by the City unless approved by vote of a majority of the voters of the City voting in a general or special election."***

Board Chair Samuel suggested: (1) to prioritize and recommend one or two changes rather than revising large portions of the City Charter; (2) use an expert consultant or facilitator to assist with the re-write; (3) review other municipal Charters.

Discussion ensued: (1) following a question, it was stated that the last review of the Charter was done in 2006 and the current revisions were originally driven by the City Attorney; (2) pros and cons were discussed regarding inviting outside experts and legal counsel to help with the review process for the City Charter; (3) it was suggested to hold town hall meetings for community involvement; (4) clarification was provided that the Commissioners combined their input from the Charter Review Advisory Board's recommendations; (5) it was stated that a request for Charter revisions was given to the Advisory Board to address term limits and the review has continued under the direction of the current Commission; (6) further clarification was provided that the seven previous Charter Review Advisory Board recommendations are being reexamined by the current Commission; (7) it was suggested to request public input addressed to the City's website along with charrettes.

***There was a consensus to take the completed document of the Charter amendments, distribute it for public input on all communication avenues.***

Following a question, it was stated that the City Manager will direct staff efforts to coordinate the information compiled. The City Attorney will provide the needed legal counsel, review the final document and apply the revisions.

#### ARTICLE III VACANCY OF CITY COMMISSIONER(s)

##### SECTION 3.02 FILLING OF VACANCY

This is a continued discussion for Article III, and was taken from the current City Charter Article VII.

Discussion ensued regarding how to handle special election vacancies: (1) because elections are non-partisan, eliminate the primary election and only hold a special election; (2) if there are only two candidates running, hold one election, winner take all; (3) if there are only two candidates in a regular election cycle, the winner to be decided in the primary election.

Following a brief discussion, it was determined that the preceding comments be placed in Section 3.01, and the section should be renamed: Vacancies.

***There was a consensus to rename Section 3.01, Definition, to 3.01, Vacancies, in Article III Vacancy of City Commissioner(s).***

#### ARTICLE III VACANCY OF CITY COMMISSIONER(s)

##### SECTION 3.01 VACANCIES

After it was noted that Section 3.01(b)(1) addresses the time frame of a vacancy, it was suggested to include a "winner take all" provision at the end.

***There was a consensus to direct the City Attorney to insert language in Section 3.01(b), at the end of paragraph (1), to reflect that it will be only one election, winner take all.***

SECTION 3.01(b)(2)

Discussion ensued: (1) citing the current City Charter, Section 7.02 regarding vacancies requiring a special election, it was suggested to remove the provision that the Commission fills the vacancy by a majority vote; (2) clarification was provided that during the 90-day period, the seat would remain vacant, and for 90-days to 18 months, the governor would make the appointment; (3) after a comment concerning the last recently held Special Election, it was stated that the Sarasota County Supervisor of Elections conducts elections and the soonest available date for an election was scheduled; (4) it was suggested to reduce the 18-month requirement to 12-months left in the unexpired term; (5) a concern was voiced that the process of campaigns provides citizens the choice and the governor's appointment takes that away from citizens; (6) another suggestion was proffered where there are 120 days left in a vacancy, the seat shall be left vacant, and if the vacancy is over four months, a special election is called; (7) it was stated that the Governor has never appointed a North Port City Commissioner but has appointed a Sarasota County Commissioner; (8) concern was expressed that if the trigger to hold a special election is 12 months or more, there is the potential that a Commissioner would only serve for six months after all that time and expense. Additionally, it takes several months for the Supervisor of Elections to get an election ordered, print ballots, mail ballots overseas and to absentees.

***A motion was made by Commissioner Luke, to change Section 3.01(b) to reflect that the trigger for the special election is 12 months. There was no second and the motion failed.***

***A motion was made by Vice-Mayor Carusone, seconded by Commissioner Luke, to change Section 3.01(b) to reflect the trigger for the special election would be 16 months or more left in the unexpired term.***

Discussion continued: (1) Commissioner McDowell expressed concern that adopting the 16-month option, there will remain a lag time that may require a special election two months prior to a general election; (2) it was suggested that instead of calculating and tying the time line to the term of the particular seat that becomes vacant, tie it to prior to the unexpired term or next election whichever comes first; (3) verbiage could be clarified to state: "When there is more than ninety (90) days but less than eighteen (18) months left until the next election of a Commission District seat....."; (4) Mayor Yates articulated that the suggested timing change from 18 months to 16 months could be problematic because there may not be enough time to schedule a special election because the general election is too close, thus it will be an appointment when it should have been the unexpired term.

***There was a vote on the motion and the motion carried by the following vote with Mayor Yates and Commissioner McDowell dissenting for reasons previously stated:***

**Yes:** 3 - Vice-Mayor Carusone, Commissioner Hanks and Commissioner Luke

**No:** 2 - Mayor Yates and Commissioner McDowell

SECTION 3.01(b)(2) continued.

Discussion continued: (1) after a brief discussion regarding the next direction needed, Interim City Attorney Slayton suggested a policy parameter to address if a term is vacated within "X" amount of time before the election then proceed directly to the

election, and if it is "Y" amount of time then it shall be an appointment; (2) it was suggested to first set the criteria of when to appoint and when to hold a special election, then direct the City Attorney to review the criteria along with the approved language, to determine the appropriate way and the verbiage to accomplish that philosophy; (3) it was suggested to reduce the 90-day requirement to 45-days and give the governor 30 days to make a decision; (4) clarification was provided regarding the criteria: [a] if there is no election scheduled for six months and its prior to an election or an expiration date, the Commission seat shall be an appointment by the governor; [b] anything that is more than six months prior to an election or an expiration date, in order to fill that vacancy, a special election shall be held.

Recess 11:23 a.m. - 11:40 a.m. to obtain a whiteboard.

Charter Review Board Member Eileen Murphy-Bartolotta left the meeting.

Discussion ensued to define the appropriate time frame to hold a special election vs. a gubernatorial appointment. Subsequent to a question, clarification was provided that it would be unlawful to prevent an appointee from running in the next election cycle.

Summary from the diagram: Because there is an election every two years, if a vacancy occurs more than nine months prior to elections or the end of term, whichever comes first, a special election will be held. A governor's appointment is only when a vacancy occurs nine months or less prior to elections or the end of term, whichever comes first. The Commissioner is only appointed up to the next election or end of term, which ever comes first.

***There was a consensus to direct the City Attorney to work on the language from the diagram and bring back the appropriate verbiage to the Commission.***

#### SECTION 3.02 EXTRAORDINARY CIRCUMSTANCE

There were no recommended changes to this section.

#### ARTICLE IV ETHICS (a new Article)

It was noted that ethics are referenced in the Current City Charter, Section 3.05(d) and Section 6.07, Conflict of Interest.

***There was a consensus to approve Article IV - Ethics as proposed in the working document.***

#### ARTICLE V - CITY COMMISSION AUTHORITIES

##### 5.01 POWERS OF CITY COMMISSION

There were no recommended changes to this Section.

***There was consensus to keep Article V, 5.01 Powers of City Commission as it is written in the current City Charter.***

##### SECTION 5.02 INVESTIGATIONS

This was taken from the current City Charter, Section 1.02, Powers

It was noted that the suggested wording conflicts with Section 5.03 of the working document, and also conflicts with the City Manager form of government.

***There was a consensus to eliminate the proposed Section 5.02 Investigations in the working document.***

##### SECTION 5.03 LIMITATION OF COMMISSION POWERS (a new section)

Discussion ensued: (1) it was stated that the Commissioners cannot direct any Charter Officers; (2) clarification was provided between the Commission directing other Charter

Officers and minor assistance provided to the Commission from other Charter Officers; (3) it was suggested to clarify the language in paragraph (a) to accommodate the City's form of government; (4) it was stated that any requests to staff should be given by the Commission as a body and go through the City Manager, who will make the assignment; (5) it was suggested that a structure change discussion may be needed regarding subordinates under a Charter Officer; (6) it was noted that no individual can speak on behalf of the whole body unless so authorized.

***There was a consensus that Charter Officers should be in charge of subordinates.***

Discussion continued: (1) after this section is clarified, the City Manager section also needs to capture the appropriate language defining his authority over his subordinates, but excludes authority over the other Charter Officers and their subordinates; (2) the Deputy City Clerk as a Charter Officer is another discussion for another day; (3) it was noted that Section 12.06(b) of the current City Charter partially addresses the employment or removal of City employees by the City Manager, except appointees of the City Commission and the Legal Department

***There was a consensus to direct the City Attorney to make sure the subordinate issue is clarified wherever clarification is needed within the City Charter to authorize Charter Officers to supervise their own department, and that clarify that individual Commissioners may request information from Charter Officers; clarifying the difference between giving direction vs. asking for assistance.***

Recess 12:55 p.m. - 1:36 p.m.

#### SECTION 5.04(a), POSITION OF MAYOR

This was taken from the current City Charter, Section 3.01

Discussion ensued: (1) clarification is needed to make the language consistent with the current City Manager form of government; (2) the terms of service for mayor and vice-mayor need to have separate clarifying definitions and the following language was suggested: "A Commissioner may not serve as Mayor for more than one consecutive term, or as vice-mayor for more than one consecutive term".

***There was a consensus in Section 5.04(a) to direct the City Attorney to craft verbiage that separates and clarifies the term limitations of the Mayor and Vice-Mayor.***

Discussion continued: (1) additional clarification was stated that the City Attorney shall ensure that Section 5.04(a) means that a mayor can serve one term, sit out, and be a Mayor again in the future as long as there is a break in the Mayor position. The same shall apply to the vice-mayor; (2) it was suggested to change the Commission meeting in which the mayor and vice-mayor are elected to the assumption of office meeting in an election year; (3) it was stated that the City Charter does not have to be a document that addresses every conceivable possibility.

***There was a consensus to direct the City Attorney to clarify Section 5.04(a) to make sure that elections of Mayor and Vice-Mayor occur at the assumption of office meeting during election years and at the first meeting in November in non-election years.***

Discussion ensued regarding a suggestion to add a provision that the mayor and vice-mayor may serve more than one consecutive term with no constraints.

***There was a consensus that the Mayor and Vice-Mayor are elected for one year by majority vote each year, with no term limits and may be reappointed by a majority of the Commission.***

## SECTION 5.05 CITY COMMISSION COMPENSATION

This was taken from the current City Charter, Section 3.03

Discussion ensued: (1) it was stated that (a) and (b) are the same as found in the current City Charter Section 3.03; (2) following a question, clarification was provided that if the Ordinance effective date is delayed until the general City Election, it would apply to Commissioners who are in office on or after that date; (3) it was suggested that Commission compensation changes should be by Ordinance and not in the Charter; (4) following a concern, it was stated that staff is working on a compensation plan for elected officials using a formula based on population and guided by Florida Statutes; (5) it was stated that it is common practice for municipal commissions and councils to set their own salaries and it was requested that the City Attorney provide that information to the City Commission and the Charter Review Advisory Board; (6) it was stated that the Commission salary is \$29,172 per year and the mayor receives an additional \$1,000; (7) clarification was provided that the most recent modification was due to changing the timing of when a Commissioner is paid either bi-weekly or once a month but the annual salary amount has not increased; (8) it was stated that a revised Ordinance is forthcoming regarding Commission Compensation.

***There was a consensus to accept Section 5.05(c) in the working document, but remove "formula for increases based on population."***

Advisory Board Members David Samuel, Justin Willis and Robert Smith left the meeting at 2:20 p.m.

## SECTION 5.06 ORGANIZATIONAL STRUCTURE

This was taken from the current City Charter, Section 5.04.

Discussion ensued: (1) after clarification was provided that the Road & Drainage District and Solid Waste District are both division of the Public Works Department, discussion ensued regarding what entities may and may not be activated or deactivated by the City Commission; (2) it was suggested to reword the sentence to adding "or districts" to the sentence: activate or deactivate departments "or districts"; (3) City Attorney Slayton clarified that districts are dependent Special Districts and are governed by Florida Statutes, and the Statutes have provisions to create but also so dissolve the district.

***There was a consensus to include the Road & Drainage District as proposed and the Solid Waste District in Section 5.06, but direct the City Attorney to review the enabling legislation and Florida State Statutes to make sure there is no conflict.***

Discussion continued: (1) additional clarification was stated that if the Districts are transformed to Departments that changes the organizational structure; (2) it was stated that the intent of Section 5.06(a) was to determine that certain departments cannot be removed without a referendum; (3) clarification was provided that if the districts are transformed to departments, they need a department head.

***There was a consensus that the City Attorney shall return with recommended language to make sure that the intent of the Commission is that all of these, including the Solid Waste District, would go to the voters before they could be dissolved.***

## SECTION 5.06(b)

Discussion ensued: (1) clarification was provided that the City Manager, Police Department, Fire Rescue, and Finance are all part of the Commission/Manager form of government and cannot be abolished solely by the Commission's direction. The City Clerk and City Attorney are not part of that form of government and can be abolished by the Commission; (2) it was stated that this section identifies the Charter Officers, who

report to the Commission. The City Clerk and City Attorney report to the City Manager; (3) it was stated that the current City Charter Section 12.01 also addresses the activation and deactivation of Charter Officers; (4) following a question regarding the removal of the City Manager as a Charter Officer, the last sentence in Section 12.01 of the current City Charter provides the way to revert to the Commission with a Mayor system; (5) after a brief discussion, it was suggested to merge Section 12.01 into the working document Section 2.01(a); (6) concern was expressed that if the form of government reverts to the Commission/Mayor plan, as stated in Section 12.01, it will do so without a structure in place; (7) concern was voiced that under the first initiative of Section 12.01, the Charter Review Advisory Board would be prohibited from recommending a different form of government; (8) it was suggested to remove Section 12.01 in the current City Charter.

CRAB member Cory Hutchinson arrived at 2:49 p.m.

***There was a consensus to direct the City Attorney to work on the language in Section 2.01 in the working document, regarding the abolishment of the City Manager or the form of government by voter referendum.***

#### SECTION 5.06(b)

Discussion ensued: (1) it was suggested to give the City Attorney leeway as to the best way to express this paragraph; (2) it was stated that certain officers are needed for a city to be incorporated; (3) clarification was provided that provision in paragraph (b) address how to eliminate the Charter Office not the employees; (4) it was suggested to move the offices in (b) into paragraph (a); (5) clarification was provided that the eight Charter Offices in Section 5.06 include: City Manager; Police Department; Fire Rescue District; Department of Finance; Road & Drainage District; Solid Waste District; City Clerk; and City Attorney.

***There was a consensus, in reference to Section 5.06, that the City Attorney will craft language that the Charter Offices in (a) and (b) cannot be abolished without a voter referendum.***

#### SECTION 5.07 ADVISORY BOARDS AND COMMITTEES

Discussion ensued: (1) it was reported that the Charter Review Advisory Board recommended to remove this Section; (2) it was suggested to list all the Advisory Boards that the City is required to maintain; (3) it was stated that Advisory Boards are created by the Commission and the Section is removed, that right is taken from the Commission; (4) subsequent to a question, it was stated there was a Code change that now provides for a Hearing Officer when a quorum for a Zoning Board of Appeals does not exist and is currently active, a Code Enforcement Board is not required by State Law but does require a land planning agency and the Planning & Zoning Advisory Board has been designated as such; (5) it was suggested to add the following from the Charter Review Advisory Board recommendations, Section 5.06: "The City Commission may appoint additional advisory boards and committees with respect to the exercise of any function of the City" and replace Section 5.07 in the working document; (6) a concern was articulated that the less direction provided in the Charter, which is driven by the people, the more an issue becomes political; (7) clarification was provided that the language in Section 5.07 of the working document is similar to, but not identical, to Section 5.05 in the current City Charter.

***There was a consensus to capture Sections 5.05 and 5.06 of the current City Charter and incorporate them into the working document, as stated Section 5.07(a) and (b).***

#### ARTICLE VI MEETINGS OF THE CITY COMMISSION SECTION 6.01 MEETINGS

Discussion ensued: (1) it was stated that the requirement of an evening meeting was captured in the Commission Procedures Ordinance; (2) clarification is needed that if there is more than one regular meeting per month, one shall be scheduled in the evening.

***There was a consensus to approve the following verbiage for Section 6.01(b): "If the City Commission holds more than one regularly scheduled meeting in any month, then at least one meeting shall be scheduled to begin after 5:00 p.m."***

Following a concern that the verbiage in Section 6.01(a) should be verified with the actual referendum verbiage, passed on November 2, 2004, clarification was provided that because this proposed City Charter will be an entirely new document, that may not be necessary.

Interim City Manager Lear and Commissioner Hanks left the meeting and Assistant City Manager Schult arrived at 3:25 p.m.

Recess 3:26 p.m. - 3:42 p.m.

#### SECTION 6.02 RULES

There were no recommended changes to this section.

***There was a consensus to keep Section 6.02 (a) and (b) as proposed in the working document.***

#### SECTION 6.03 QUORUM AND VOTING REQUIREMENTS

Discussion ensued: (1) it was stated that Section 6.03 and 6.04 of the current City Charter were combined into one Section 6.03 in the working document: (2) it was suggested to strike "but a lesser number may adjourn from day to day . . ." from paragraph (a); (3) clarification was provided that Florida Statutes, Section 166.041 requires an affirmative vote for both ordinances and resolutions.

***There was a consensus that Section 6.03(a) shall read: "A majority of all Members of the City Commission shall constitute a quorum." Paragraph (b) shall read as proposed: "A majority vote of a quorum of the City Commission present at a meeting is required for the enactment of ordinances, resolutions, and contractual commitments unless otherwise specified in this Charter, ordinance, or general law." Paragraph (c) shall read: "Voting on ordinances and resolutions shall be by roll-call."***

#### ARTICLE VII LEGISLATIVE ENACTMENTS

##### SECTION 7.01 ORDINANCES AND RESOLUTIONS

This was taken from the current City Charter Section 9.01.

Discussion ensued: (1) it was suggested to provide general references to the Florida Statutes in the Charter; (2) it was suggested to re-alphabetize the sequence of items in this Section; (3) it was confirmed that when there are changes in Florida Statutes that affect city charters, the Commission has the authority to make those changes by Ordinance without going to referendum; (4) a preference was expressed to include the current City Charter language in Section 9.01(b); (5) concern was expressed that a time requirement should not be included in the City Charter as it relates to ordinances or resolutions.

***There was a consensus to replace Section 7.01 in the working document with Section 9.01 in the current City Charter.***

SECTION 7.01 continued



Discussion continued: (1) it was suggested to add a new section addressing Resolutions, taken from Section 9.08 in the current City Charter, and add it after Section 7.01 Ordinances; (2) definitions of an ordinance and a resolution should be included.

***There was a consensus to add the definitions of Ordinance and Resolution to the beginning of their sections; to have Ordinances and Resolutions separated within this Article VII; to have the Ordinance Section 9.01 of the current City Charter language to be proposed as well as Section 9.08 of the current City Charter language to be proposed; inserting the definitions of Ordinance and Resolution in the appropriate areas.***

#### SECTION 7.02 EMERGENCY ORDINANCE

This was taken from the current City Charter Section 9.02.

Discussion ensued and it was suggested to keep the current City Charter language in Section 9.02.

***There was a consensus to replace the working document Section 7.02 with the current City Charter Section 9.02, Emergency Ordinance.***

Discussion continued: (1) concern was expressed that ordinances are used for issues that should be codified and resolutions are used for a temporary-type issue; (2) it was suggested that the definition of resolutions shall state that resolutions shall not be used for official legislative actions or defined as local law; (3) care should be taken when definitions for an ordinance or a resolution are tweaked to avoid any potential legal conflicts; (4) it was requested to clarify the first sentence in Section 9.01 to read: "Each ordinance shall be introduced in writing and shall embrace only one subject and matters directly connected therewith."

***There was a consensus to insert after 7.02, Emergency Ordinance, in the working document; put in Section 9.03, General Appropriation Ordinance/Resolution, in the current City Charter; striking the word "Resolution" from that Section.***

#### SECTION 7.03 ANNEXATION ORDINANCE

This was taken from the current City Charter Section 9.04.

There were no recommended changes to this Section.

***There was consensus to keep Section 7.03, Annexation Ordinance, as it is proposed in the working document.***

#### SECTION 7.04 CITIZEN INITIATIVE(S)

This was taken from the current City Charter Section 15.01.

Discussion ensued: (1) following a concern, it was clarified that Section 8.02 in the working document, addresses proposed amendments to the City Charter and Section 7.04 addresses City Ordinances.

Charter Review Advisory Board member Justin Willis arrived at 4:29 p.m.

Discussion continued: (2) subsequent to a question, it was stated that clarification is needed regarding the timing for advertising the proposed legislation and placing it on a Commission agenda. Additionally, the signatures must be counted and verified with the voter registration roll.

***There was a consensus to keep the proposed language of the first sentence in Section 7.04; and direct the City Attorney to wordsmith the Section to capture the intent of what needs to happen prior to placing it on a Commission agenda.***

#### SECTION 7.05 CODIFICATION

This was taken from Section 9.10 in the current City Charter.

Discussion ensued: (1) it was suggested that this Section should be under Section 7.01; (2) it was stated that codification of City Ordinances is a City Clerk duty; the specific policy can be established through a City Ordinance or Resolution and could be left broader in the Charter to simplify future changes; (3) it was stated that Ordinances are posted on the City's website as they are approved, and codified quarterly; (4) it was suggested that the codification of all City Codes be added to the duties of the City Clerk under that Section of the Charter.

***There was a consensus to move Section 7.05, Codification proposed in the working document under Section 7.01, Ordinances.***

#### ARTICLE VIII CHARTER AMENDMENTS

##### SECTION 8.01 AMENDMENT WITHOUT REFERENDUM OF VOTERS

This was taken from the current City Charter Section 10.01.

There were no recommended changes to this Section and it mirrors the City Charter.

***There was consensus to keep Article VIII, Section 8.01 Amendment without Referendum of Voters, as it is written in the current City Charter.***

##### SECTION 8.02 AMENDMENTS SUBMITTED TO VOTERS

This was taken from the current City Charter Section 10.01.

Discussion ensued: (1) after a concern was expressed, it was stated that voter referendums can be included on a general election or as its own special election, as provided in Florida Statutes.

Charter Review Advisory Board member Pete Pedersen left the meeting at 4:50 p.m.

Discussion continued: (2) concern was expressed regarding the timing of paragraph (e) and clarification was provided that currently a referendum becomes legally effective after the certification of votes by the Supervisor of Elections; (3) the need for a special election solely for a Charter referendum change was questioned and discussed.

***There was a consensus to tweak Section 8.02(e), to ensure the timing is reflected to state after the certification of elections.***

Discussion ensued: (1) it was requested that the City Attorney provide the Charter changes to the Commission as soon as possible; (2) it was suggested to schedule a meeting in September to finish the review of the Charter and then a week or two later, schedule an agenda item for a Regular Meeting or a Special Thursday meeting to review the draft document and discuss the next steps in the process for the charrettes.

City Clerk Adkins reported that City Manager Lear requested to schedule a special meeting at the end of July to discuss the City Attorney contract, however July Commission schedules are full and she requested to review Commission schedules for a possible date in August.

***There was a consensus to schedule two days in September, if possible, to finish reviewing the City Charter.***

### **3. PUBLIC COMMENT:**

There was no public comment.

### **4. COMMISSION COMMUNICATIONS:**

Assistant City Manager Schult requested to schedule an Executive Session regarding American Federation of State County and Municipal Employees (AFSCME) Union Impasse as soon as practical, and City Clerk Adkins stated Commission schedules will be reviewed for an open date in July. It was stated that dates for the International Association of Fire Fighters (IAFF) union and Police Benevolent Association (PBA) union discussions are needed.

Subsequent to questions, Interim City Attorney Slayton explained: (1) the City has separate litigation pending for which the Commission has given direction and it was prudent to wait until the results were received regarding the Special Exception hearing; (2) since the kennel did not receive a Special Exception ruling, the City Attorney's office will pursue the full injunction and summary judgement; (3) until the appellate deadline is passed from when the written order is filed with the court, there is the potential of an appeal from the applicant; (4) currently there is an injunction order in place on selling puppies from the property but does permit the puppies to be kenneled at the property; (5) until the deadline is passed, it is prudent not to engage in ex parte conversations pertaining to these issues; (6) a copy of the injunction order will be forwarded to the Commission.

Charter Review Advisory Board Member Cory Hutchinson advocated a brief meeting summary provided by the Commission after a meeting, and Board Member Justin Willis stated that the newspaper started doing that in Facebook since the last few meetings.

#### **5. ADMINISTRATIVE AND LEGAL REPORTS:**

Nothing to report.

#### **6. ADJOURNMENT:**

Mayor Yates adjourned the North Port City Commission Special Meeting at 5:26 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Linda M. Yates, Mayor

Attest: \_\_\_\_\_  
Patsy C. Adkins, MMC, City Clerk

Minutes approved at the City Commission Regular Meeting this \_\_\_\_ day of \_\_\_\_\_, 2017.