



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Vanessa Carusone, Mayor
Linda M. Yates, Vice-Mayor
Christopher B. Hanks, Commissioner
Jill Luke, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Kathryn Peto, Interim City Clerk

Tuesday, September 25, 2018

6:00 PM

CITY COMMISSION CHAMBERS

NOTE: This is a draft copy of the minutes of the 09-25-2018 City Commission Regular Meeting, has not been approved by the Commission and is subject to change.

CALL TO ORDER/ROLL CALL

The North Port City Commission Regular Meeting was called to order at 6:04 p.m. in City Commission Chambers by Vice-Mayor Yates.

Present: Vice-Mayor Yates; Commissioners, Hanks, Luke and McDowell, Assistant City Manager Branco; Assistant City Attorney Golen; Interim City Clerk Peto and Police Chief Garrison.

Absent: Mayor Carusone.

A moment of silence was observed, followed by the Pledge of Allegiance led by Commissioner Luke.

1. APPROVAL OF AGENDA – COMMISSION

After a request by the Vice-Mayor, the Commission determined that they would like to add item 5.B. to the Agenda for discussion and possible action, and direction with the fertilizer ban, pull Consent item 6.C. and move it after Public Comment, pull item 6.E. for discussion, and that City Manager Lear requested item 4.G. be pulled.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve the Agenda, pulling item 4.G., adding item 5.B. fertilizer regulations for discussion and possible action and remove 6.C. from the Consent Agenda and place it after Public Comment. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

2. ANNOUNCEMENTS**A. [18-638](#)** Current Vacancies for Boards and Committees.

Interim City Clerk Peto read the Current Vacancies for Boards and Committees into the record.

B. [18-639](#) Upcoming Expiration Dates for Boards and Committees.

Interim City Clerk Peto read the Upcoming Expiration Dates for Boards and Committees into the record.

3. PUBLIC COMMENT:

Public Comment was held 6:13 p.m. - 6:22 p.m.

Hector Munoz: Commission directives and time management.

Louis Macri: Warm Mineral Springs recommendations.

It was explained that funds to purchase Warm Mineral Springs were from surtax, and not the general fund.

Mike Weisensee: Dog racing resolution.

6. CONSENT AGENDA:**C. [18-628](#)** A three-year agreement with renewals, with Global Emergency Medical Services, LLC. to provide medical direction services for the City of North Port Fire Rescue Emergency Medical Services in the amount of \$40,000 for the first year and a three percent increase for years two and three of the contract.

Assistant City Manager Branco and Fire Chief Titus gave an overview of the item.

Discussion ensued: (1) this is a three-year contract with an escalation of 3% per year, and there is an option for two one-year auto renewals; (2) Global EMS CEO Dr. Joel Gerber explained that the request is for an addendum to the contract to provide for a 3% annual increase for each year of the renewal; (3) it was clarified that the contract provides for a 90-day notice of cancellation; (4) it was explained that this is potentially a five-year contract, with a 3% increase each year. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve a three-year agreement with Global Emergency Medical Services, with an addendum to follow and include two renewals for one-year each with a 3% increase each year. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

4. PUBLIC HEARINGS:**A. [18-634](#)** Ordinance No. 2018-53, Amending the Police Pension

Interim City Clerk Peto read Ordinance No. 2018-53 into the record by title only.

There was no Commission discussion or public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Ordinance No. 2018-53 amending the police pension. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

B. [18-631](#)

Ordinance No. 2018-32, Second Reading, Petition No. TXT-18-147, Amending the City of North Port Unified Land Development Code Chapter 60 Fire Safety Regulations, Section 60-19 Conflicts to remove language in direct conflict with the Florida State Statutes and Florida Administrative Code.

Interim City Clerk Peto read Ordinance No. 2018-32 into the record by title only.

There was no Commission discussion or public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2018-32. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

C. [18-623](#)

Ordinance #2018-52, second reading, calling for the deactivation of the General Services Department, and the establishment and activation of the Parks & Recreation Department.

Interim City Clerk Peto read Ordinance No. 2018-52 into the record by title only.

There was no Commission discussion or public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance 2018-52 as presented. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

D. [18-627](#)

Ordinance No. 2018-34, second reading, amending the Code of the City of North Port, Chapter 78, Utilities, Article V, Cross-Connection Control, Sections 78-125, 78-127, 78-129, 78-130, 78-132.

Interim City Clerk Peto read Ordinance No. 2018-34 into the record by title only.

Assistant City Manager Branco, Public Utilities Field Operations Manager Vuolo and Customer Service Coordinator Duffey gave an overview of the item.

Discussion ensued: (1) it was explained that changes were made to clarify the opt-in language, and all references were updated to state bi-annual throughout the ordinance; (2) the language in the third whereas clause referring to "not inconsistent" is correctly stated; (3) changes will go in effect October 1, and residential testing notifications will go out January 1; (4) the City website is being updated to notify customers of the changes,

billings will have language regarding the change and that information is available on the website, an insert with information will be included with billings that are mailed, and information may also be included with e-bill notifications. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Ordinance No. 2018-34 amending the Code of the City of North Port, Chapter 78, Utilities, Article V, Cross-Connection Control. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

There was a unanimous consensus to move Agenda item 4.F. prior to 4.E.

F. [18-636](#)

Resolution 2018-R-25, Supporting the Sarasota County Legacy Trail Extension Project with Enhanced Safety and Connectivity from North Port, through Venice, and to Downtown Sarasota

Interim City Clerk Peto read Resolution No. 2018-R-25 into the record by title only. Commissioner McDowell gave an overview of the item.

Discussion ensued: (1) dependent on taxable value, the cost to property owners for 2020 would be approximately \$4.50, and up to \$8 for Fiscal Years 2021 to 2039; (2) it was noted that \$2,000,000 will be spent on the North Port connector; (3) the rails-to-trails project is being implemented around the State and adds value to the community; (4) concern was expressed for the Commission to take a position on a ballot item that is not a legislative issue, that the Resolution may be in violation of Florida State Statute (FSS) 106.113, and a proposed Resolution was shared with the Commission; (5) Assistant City Attorney Golen reviewed the resolution to see if there is any violation of campaign laws, it was opined that the resolution doesn't appear to fall under a political advertisement or an electioneering communication; (6) it was stated that replicating the ballot in a resolution has been acceptable in legal opinions, that the resolution does not provide for an opinion, and that there isn't anything wrong with the way it is currently drafted; (7) the Commission reviewed the proposed changes to the resolution; (8) it was noted that the Vice-Mayor's proposed draft is favored and that it is important for the Commission as a whole to support this resolution.

PUBLIC COMMENT

Bruce Henry: supporting Legacy Trail project.

Discussion continued: (1) it was noted that the Resolution number will not need to change and can be approved as amended.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Resolution 2018-R-25 disregarding the language as provided in the backup material, and going with the draft resolution language as presented by the Vice-Mayor. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

E. [18-565](#)

ANX-18-091, CPA-18-092, REZ-18-093, DMP-18-106 Public hearings for four petitions: Ordinance 2018-25 (Petition ANX-18-091) First Reading, Ordinance 2018-26 (Petition CPA-18-092) First Reading, Ordinance 2018-27 (Petition REZ-18-093) First Reading, and Petition DMP-18-106.

RaceTrac Voluntary Annexation of ±3.00 acres into the City of North Port from Unincorporated Sarasota County, Small Scale Comprehensive Plan Amendment to assign Future Land Use, Rezone of ±3.00 acres to assign zoning, and Development Master Plan proposing two phases of development including a 5,500 square foot RaceTrac convenience store and fuel pumps in the first phase. (QUASI-JUDICIAL)

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to read Ordinance No. 2018-25 by title only. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Interim City Clerk Peto read Ordinance No. 2018-25 into the record by title only, and swore in those wishing to provide testimony.

Ex parte communications were disclosed: (1) Commissioner Hanks attended an agenda briefing; (2) Commissioner McDowell attended an agenda briefing with the City Manager, Assistant City Manager and the Assistant City Attorney, met with Neighborhood Development Services (NDS) Director Miles and Staff to discuss her questions, and received follow-up information from Staff by email; (3) Commissioner Luke attended an agenda briefing with the City Manager and the Assistant City Attorney to discuss the item, and to verify that her past employment as related to this matter is not an issue; (4) Vice-Mayor Yates attended an agenda briefing with the City Manager, Assistant City Manager and the Assistant City Attorney, communicated by email with NDS Director Miles and Staff regarding the item, submitted documents to the City Clerk, and listened to the Planning and Zoning Advisory Board (PZAB) meeting of August 16, 2018.

Pavese Law Firm Land Use Attorney Neale Montgomery, Planning and Zoning Consultants Dan DeLisi and Andrew Fitzgerald, T.R. Transportation Planner Ted Treesh, and RaceTrac Petroleum Project Manager Jon Janssen on behalf of the Applicant provided a PowerPoint presentation of the item. Neighborhood Development Services Senior Planner Galehouse and Planner Christie provided an overview of the item and stated that Staff recommends approval of the petitions with conditions, and that the advertisement dates in the last whereas clause of the ordinance is to be corrected to August 1, September 1, September 10 and September 17. There were no aggrieved parties and there was no rebuttal to the presentations.

Discussion ensued: (1) for utility services to be provided at the location, a new development agreement is necessary for the development that is going vertical on the ground; (2) Public Utilities Field Operations Manager Vuolo explained that the Utility Developers Agreement is for the easement; (3) documents from 2010 reflect that Talon Bay Drive is owned by Talon Bay Property Association (HOA) except a small piece that has different ownership; (4) the City maintains Talon Bay Drive and is reviewing taking ownership by means of a prescriptive easement; (5) the HOA believes that it is owned by the City, and it was suggested that ownership of Talon Bay Drive be resolved to prevent any future issues; (6) the applicant noted that the road is being accessed by Walgreens, and they are not concerned with having access to Talon Bay Drive; (7) it was suggested that the Chief Administrative Officer of Sarasota County be included in section 4.01, and that the correct language can be found in Ordinance 2018-27 section 3.01; (8) the condition to obtain an approved Developers Agreement will be required before the Department of Environmental Protection (DEP) and Department of Health (DOH) permits are issued; (9) notices regarding the August 2 neighborhood meeting were mailed to residents on July 13; (10) it was suggested that Staff add attachments to the ordinance

regarding their recommended conditions. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to continue Ordinance No. 2018-25 to the second reading on October 9, 2018 with the following changes, adding dates of August 1, September 1, September 10 and September 17 in the whereas clause concerning the advertising, adding the exhibits that are shown in the Staff report, and adding Chief Administration Officer in section 4.01. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to read Ordinance No. 2018-26 by title only. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Interim City Clerk Peto read Ordinance No. 2018-26 into the record by title only, and then swore in those wishing to provide testimony.

Ex parte communications were disclosed: Commissioner Luke, Commissioner McDowell, Commissioner Hanks and Vice-Mayor Yates stated that their ex parte communications are the same as previously noted.

Planning and Zoning Consultant Dan DeLisi on behalf of the Applicant stated that the prior presentation is to be incorporated into this segment. Neighborhood Development Services Senior Planner Galehouse stated that Staff's prior presentation is to be incorporated into this segment, and that Staff recommends clarification language be added in section 1.03 to state "at the time of adoption of the ordinance" following the wording "corporate limits". There were no aggrieved parties, and no rebuttal to the presentations.

Discussion ensued: (1) it was explained that Exhibit B in the ordinance shows the current Sarasota County zoning on the left; (2) the City of North Port reference on the right does not display the proposed land use until after adoption; (3) Exhibit B is a zoom-in version of Map 2-7 and may be misunderstood as it is worded in section 2.02 of the ordinance; (4) Staff will review how the map can be displayed as it may require a text amendment to the comprehensive plan; (5) it was noted that an updated version of Map 2-7 with the approved land use attached to the ordinance would not require an amendment to the comprehensive plan; (6) it was suggested to bring back a corrected map with the ordinance at second reading. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2018-26 adopting amendment CPA-18-09 into the future land use with the following changes, section 1.03 after the phrase "within the corporate City limits" add "at the time of adoption of this ordinance", in section 2.02 Staff will include the future land use map 2.7 in its entirety, and this will be continued to the October 9, 2018 City Commission meeting for second hearing. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to read Ordinance No. 2018-27 by title only. The motion carried by the

following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Interim City Clerk Peto read Ordinance No. 2018-27 into the record by title only, and then swore in those wishing to provide testimony.

Ex parte communications were disclosed: Commissioner Luke, Commissioner McDowell, Commissioner Hanks and Vice-Mayor Yates stated that their ex parte communications are the same as previously noted.

Planning and Zoning Consultant Dan DeLisi on behalf of the Applicant stated that the prior presentation is to be incorporated into this segment. Neighborhood Development Services Senior Planner Galehouse stated that Staff's prior presentation is to be incorporated into this segment, and that Staff recommends clarification language be added in section 1.01 to state "at the time of adoption of the ordinance" following the wording "corporate limits". There were no aggrieved parties, and no rebuttal to the presentations.

Discussion ensued: (1) it was noted that section 3.01 is missing language providing that the applicant is to pay the cost of filing fees; (2) it was noted that all fees will be paid prior to adoption; (3) it was explained that Florida State Statute (FSS) requires the annexation ordinance to be filed with the Clerk of Court, and that filing language was omitted from the other two ordinances as it is not required by FSS; (4) it was suggested that a seven day requirement for filing with the other agencies be included in the ordinance; (5) ordinance 2018-27 has a provision that it will take effect after ordinance 2018-26 has been adopted. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2018-27 approving the Rezone No. 18-093 rezoning three acres, with the following clarifications: section 1.01 wording "within the corporate city limits" add "at the time of adoption of this ordinance", Staff to review section 3.01 and clarify who is paying the costs of filing fees, and within a specified time frame will be added to the ordinance, and the ordinance will continue to October 9, 2018 for second reading, with conditions of the utility developers agreement. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to reconsider Ordinance No. 2018-26. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2018-26 adopting the comp plan amendment 18-092 with the following changes, in section 1.03 after the words "wholly within the corporate limits" adding "at time of adoption of this ordinance", in section 2.02 Staff will attach the entire land use map 2.7, and that this will be subject to the conditions with an approval of the utility developers' agreement, and continuing this ordinance to October 9, 2018 for second reading. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Interim City Clerk Peto swore in those wishing to provide testimony regarding item Petition No. DMP-18-106.

Ex parte communications were disclosed: Commissioner Hanks, Commissioner McDowell, Commissioner Luke and Vice-Mayor Yates stated that their ex parte communications are the same as previously noted.

Planning and Zoning Consultant Andrew Fitzgerald on behalf of the Applicant gave a presentation of the item and noted that the prior presentation is also to be incorporated into this segment. Neighborhood Development Services Senior Planner Galehouse gave a presentation of the item and explained Staff's recommendation with conditions. There were no aggrieved parties, and no rebuttal to the presentations.

Discussion ensued: (1) master storm water systems have maintenance agreements and it is common that they are across multiple property ownerships; (2) the maintenance agreement will be addressed by Southwest Florida Water Management District (SWFWMD) as part of their permit process; (3) Staff will review the storm water management permit to ensure it meets the approved master plan and City ordinances; (4) the outdoor eating area is 700 square feet, and a waiver is not needed because the bench is required; (5) a suggestion was made to move the bike rack to a more prominent location; (6) the developer will have new striping done for the right turn lane into the north entrance off Talon Bay Road; (7) Staff will reach out to Sarasota County to confirm that clearing was authorized, and will follow-up with the Commission at the next hearing; (8) it was noted that the clearing was done in 2009; (9) it was explained that conditions one and eleven provide for cross access of the second parcel, and that City Engineering has approved cross access providing that it is included in the easement; (10) an analysis has been done to make sure that emergency and delivery vehicles can make different turning movements in the driveway; (11) the Planning and Zoning Advisory Board (PZAB) discussed waiver 12 in their hearing; (12) a suggestion was made for additional bike racks as it is anticipated there are numerous bicyclist that will utilize their location; (13) the monument sign will be aligned with the center of the canopy; (14) the monument sign is 20-feet high which is within code specifications, and that the top section will display prices and that the lower section will be open-air; (15) the public art contribution based on construction costs for parcel one is estimated at \$25,000, applicant is asking that the public art contribution be more in line with other like retailers, and calculating half of one-percent for the building would be approximately \$5,000-\$7,000; (16) Chapter 59 of the Unified Land Development Code provides that the art fund is one-half percent of construction costs, a developer can pay the contribution or they can install artwork of equal value on site; (17) it was noted that other gas stations in activity center one were constructed prior to the art fund code requirement, gas stations in other activity centers have been built since the code was enacted and no other waivers or exemptions have been granted; (18) concern was expressed regarding the proposed property line between the two parcels; (19) it was explained that the line was based on the original survey and followed into the site plan; (20) Staff conditions one and eleven provide that an easement agreement be recorded with the plat regarding the rights of each parcel should the properties be separated; (21) it was noted that waiver two provides for one bike rack, concern was expressed that customers may lay their bikes on the ground near the entrances; (22) it was explained that waivers have been granted regarding use of color different from green; (23) it is assumed that the county will not be collecting a storm water utility fee once the property is annexed into the City, an agreement of the private lake will be addressed between the property owners; (24) it was suggested that

clarification be provided regarding waivers two, seven and nine; (25) a suggestion was made that waiver two require two bike racks and that they be moved to a more prominent location for easy access and better visibility; (26) it was noted that Staff recommends waiver nine be denied, and that waiver seven should allow for outdoor storage of one container for propane tank, and one ice machine; (27) it was opined that the applicant has requested 12 waivers of which Staff agrees with 10.

A motion was made by Commissioner McDowell, seconded by Commissioner Hanks, to approve DMP-18-106 with waivers approved by Staff, for clarity waiver two will be two bike racks moved to a more prominent location, waiver seven will allow the outside storage of one propane tank and one ice storage container, and that waiver number nine is denied in its entirety, that this DMP will be effective after all three ordinances pertaining to this parcel are in effect. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

Discussion continued: (1) it was explained that when the water and sewer services are complete the storage facility is required to annex into the City; (2) Staff will review the storage facility agreement regarding the obligation to hookup to City services and provide information to the Commission; (3) if the agreement provides that they must hookup to City services once it is available, then annexation would be voluntary based on the agreement; (4) there was recently a combination of the front and back storage, the front storage piece was not under the agreement. There was no public comment.

Recess 9:40 p.m. - 9:55 p.m.

G. [18-557](#)

Resolution No. 2018-R-22, supporting proposed Constitutional Amendment 13 to phase out the cruelty of Commercial Greyhound Racing by December 2020 and decouple live racing from other forms of gambling in Florida.

THIS ITEM WAS PULLED FROM THE AGENDA

5. GENERAL BUSINESS:

A. [18-625](#)

Approve the Second Amendment to the State-Funded State Infrastructure Bank Loan Agreement.

Assistant City Manager Branco provided an overview of the item.

Discussion ensued: (1) clarification was provided that the funding is from Impact Fees and because the money is already available and allocated to pay for the loan, which is a benefit to taxpayers. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner Hanks, to approve the Second Amendment of the State-Funded State Infrastructure Bank Loan Agreement. The motion carried by the following vote with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

B. [18-689](#)

Discussion, possible action, and direction with the fertilizer ban

Commissioner Luke provided a brief review of the item.

Discussion ensued: (1) a directive was given to Staff last year to work on inviting Dr. Crosby of Mote Marine to give a presentation on Red Tide to the Commission; (2) it was suggested that Staff come back with an agenda item with a Resolution and the old Ordinance that addresses the fertilizer issue, along with other steps identified by Staff that can be taken and State exemptions to consider; (3) legislation may be passed to ban fertilizer but stores can still sell it; (4) concern was expressed regarding the nutrient content that comes from the Big Slough and filters through North Port over which the City has no control; (5) a workshop discussion is needed and a public education component is needed. There was no public comment.

There was a unanimous consensus to direct Staff come back with an agenda item for a special meeting or workshop as soon as practical, with the current fertilizer Ordinance with recommendations and considerations from Staff, also to bring the Commission a Resolution with help from Commissioner Luke encouraging residents not to use fertilizer year-round, and also direct the City Manager to schedule a presentation by Mote Marine regarding Red Tide.

6. CONSENT AGENDA:

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Consent Agenda Items 6.A., 6.B., 6.D., 6.F., and 6.G. The motion carried by the following vote with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

- A. [18-642](#) Approval of Minutes for the August 21, 2018 Commission Regular Meeting, September 6, 2018 Commission Special Meeting, September 6, 2018 Budget Hearing.
- B. [18-653](#) Appointment of Melanie Breuer and Eve Sweeting as a Regular Members to the Charter Review Advisory Board.
- D. [18-610](#) Agreement No. 2018-56, Professional Engineering Services for Water Transmission Main from Myakkahatchee Creek Water Treatment Plant to Ortiz Blvd with Kimley-Horn and Associates, Inc.
- E. [18-624](#) Disposition of surplus assets by an appropriate fashion per Chapter 2 Article VIII Sec. 2-419 (d) of the City Code set forth in F.S. 274.06.

Discussion ensued: (1) subsequent to a concern clarification was provided that City Police Officers require reliable vehicles at all times; (2) it was stated that the cars are being sold over market value; (3) it was determined that the surplus vehicles could not be repurposed within the City; (4) Commissioner McDowell expressed concern that: [a] there are spare vehicles that could be used if the School Board Contract is terminated early; [b] the purchase of new vehicles is an issue that needs to be closely reviewed; [c] there are vehicles that are not being used; [d] many new vehicles were recently purchased; [e] the vehicles sold to the School Board could be used by the City' SROs until they are replaced by School Board officers. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner Hanks, to approve Consent Agenda E. The motion carried by the following vote with Mayor Carusone absent and with Commissioner McDowell dissenting for reasons stated:

Yes: 3 - Vice-Mayor Yates, Commissioner Hanks and Commissioner Luke

No: 1 - Commissioner McDowell

F. [18-606](#) Temporary Staffing

G. [18-614](#) Administrative Agreements for Health Insurance

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

Commissioner McDowell: (1) reported that the State Legislature filed an appeal to the most recent Judge's final decision regarding Amendment 1 and it was suggested to craft a Resolution requesting that the Legislators stop procrastinating and use the funds for conservation purposes, the way voters decided; (2) will provide the City Manager a list of some Commission directives that were omitted from the Administrative Report to the Directive list; (3) in addition to Commission formal directives being placed on the Commission Directed Activity List, discussion ensued regarding adding informational pieces which the City Manager agrees to provide to the Commission on that same list; (4) suggested to find educational avenues to inform residents regarding the intent of the upcoming Amendment I to the Homestead Exemption scheduled on the November Election, and the City's Referendum regarding the revised City Charter; (5) it was stated that: [a] the scrolling banner section of the City's website page contains information about the City Charter Referendum; [b] there is also information on the City Clerk's webpage; and [c] the Referendum Ordinance No. 2018-28 is posted on the left-hand column of the City Clerk's webpage.

There was a unanimous consensus that Commissioner McDowell will work with the City Manager and the City Attorney to bring back a Resolution to encourage the State Legislature to honor Amendment 1 that was already passed.

There was a unanimous consensus that when something will be provided to the Commission by directive or otherwise, it will be on the update list.

Commissioner Hanks: Nothing to report.

Commissioner Luke attended: (1) the Community Health Action Team (CHAT) meeting; (2) the Florida League of Cities Utilities, Natural Resources and Public Works Committee; (3) the Economic Development Corporation meeting; (4) the Tourist and Development Council; (5) she called the Sarasota County School Board regarding a parent-pickup issue at Lamarque Elementary and it was resolved immediately in conjunction with the City's Public Works Department; (6) following a concern, it was stated that the City Clerk is working with Mayor Carusone regarding the Commission sending flowers and condolences to the City Attorney regarding her recent loss.

Vice-Mayor Yates attended: (1) the Florida League of Cities Transportation and Governmental Regulations Committee; (2) a Manasota League of Cities Meeting; (3) the MPO Meeting; (4) noted the I-75 Fly-over and a Congestion Management Network Study underway for the Desoto bridge.

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [18-633](#) City Attorney Report - Commission-Directed Actions
Assistant City Attorney Golen had nothing to report.
- B. [18-602](#) City Manager - Commission Update
Assistant City Manager Branco had nothing to report.
- C. 18-632 City Clerk/Deputy City Clerk update regarding Commission Direction
Interim City Clerk Peto had nothing to report.

10. ADJOURNMENT:

Vice-Mayor Yates adjourned the North Port City Commission Regular Meeting at 11:09 p.m.

City of North Port, Florida

By: _____
Vanessa Carusone, Mayor

Attest: _____
Kathryn Peto, Interim City Clerk

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2018.