



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Road and Drainage District Governing Body

Tuesday, October 24, 2017

4:00 PM

City Commission Chambers

MINUTES APPROVED AT THE 02-27-2018 MEETING.

CALL TO ORDER/ROLL CALL

The North Port Road and Drainage District Governing Body Regular Meeting was called to order in the City Chambers at 4:23 p.m. by Mayor Yates.

Present: Mayor Yates; Vice Mayor Carusone; Commissioners Luke, Hanks and McDowell; City Attorney Slayton; Assistant City Manager Schult; City Clerk Adkins; Deputy City Clerk Peto and Police Chief Vespia.

1. APPROVAL OF AGENDA – COMMISSION

A motion was made by Vice-Mayor Carusone, seconded by Commissioner Luke, to approve the Agenda. The motion carried by the following vote:

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

2. PUBLIC COMMENT:

There was no public comment.

3. PUBLIC HEARINGS:

- A. [17-1393](#)** Ordinance No. 2017-35, first reading, amending the Fiscal Year 2016-2017 Road and Drainage District Budget.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke to read Ordinance No. 2017-35 by title only. The motion carried by the following vote:

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

City Clerk Adkins read Ordinance No. 2017-35 into the record by title only, thereafter Assistant City Manager Schult provided an overview.

Addressing a question regarding the Biscayne Drive sidewalk study directed by Commission, Public Works Director Bellia noted on October 6, 2017 she met with Engineering Division Manager Traverso to discuss Commission directives regarding the crosswalk study for Pan American Boulevard when considering the Biscayne Drive improvements. The first directive was to develop 2 crosswalks at Hyde Park Avenue and Biscayne Drive, second was to move forward with the requirements to add a sidewalk north of Sydney Avenue to Hyde Park Avenue on the east side. Both of these directives

are before the Commission for consideration. The next directive was for staff to research adding a crosswalk for the south side of U.S. 41 access road known as Tamiami Trail across Biscayne Drive. Engineering Division Manager Traverso will be conducting an in-house study and presenting to the Commission on November 28, 2017. Public Works Director Bellia further noted that the next directive was a crosswalk study for the entire roadway of Pan American Boulevard to Biscayne Drive and the entire roadway of Biscayne Drive south of I-75. Engineering Division Manager Traverso will be conducting the in-house study and also presenting this study to the Commission on November 28, 2017.

Regarding the 2 crosswalks, one of which is on Outreach Way which is private property, the property owner has been contacted for permission to cross the property for the construction of the crosswalk. A site plan has been created and another attempt will be made to contact the property owner. The last item to be studied in-house is a crosswalk across Pan American Boulevard to the new SCAT bus stop at the North Port Health Department.

Discussion ensued: (1) it was clarified that the proposed crosswalk on Outreach Way crosses private property and this issue would need to be addressed prior to the development of the crosswalk. City Attorney Slayton clarified that the property in question could fall under Eminent Domain; (2) it was clarified that the cost for the striping for bike lanes was in the staff summary sheet but not included in the amount shown in the Ordinance. The increase needed will increase the budgeted amount to \$1,243,542.00. This will not change the title of the Ordinance which can be moved to second reading and will include the additional amount of \$24,000.00 for the striping for bike lanes in Exhibit A; (3) the sidewalk, stormwater drainage pipe and 2 driveway replacements in the amount of \$168,904.00 for the sidewalk on Sydney Avenue and Hyde Park Avenue adjacent to S. Biscayne Drive is included in the budgeted amount which also includes the crosswalk striping for bike lanes, signage and ADA mats in the amount of \$13,629.00 with a contingency of \$8,100.00; (4) it was clarified that the crosswalk discussed at the April 2017 Commission Meeting, was the one crosswalk on the north side of Hyde Park across Biscayne Drive, the amount budgeted was sufficient to do a change order with contingencies. When Commission directed staff to add the sidewalk on the east side of Biscayne Drive between Sydney Avenue and Hyde Park, and the crosswalk on the south side of Sydney Avenue at Biscayne Drive, the design, with the added infrastructure, the added cost of the crosswalk on Biscayne Drive on the north side of Hyde Park Avenue was reflected in the current budget amendment request. Due to Commission direction, the added projects could not be put in as an Administrative Change Order but had to be considered as a budget amendment for the additional projects; (5) staff agreed to research if currently there have been signs and a crosswalk installed on Hyde Park Avenue; (6) it was noted that the budget adjustment is for the added cost to the same contractor awarded the contract for the sidewalk projects.

A motion was made by Vice-Mayor Carusone, seconded by Commissioner McDowell to continue Ordinance No. 2017-35 with the additional \$24,000.00 needed totaling up to \$1,243,542.00 to the November 28, 2017 Road and Drainage District Governing Body Regular Meeting for second reading. The motion carried by the following vote:

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

Discussion ensued: (1) addressing a concern, City Attorney Slayton noted that the Statute regarding a private road used as a public roadway deals with the maintenance issue. After 7 years of the City regularly and consistently maintaining a roadway in an

uninterrupted manner, it is deemed to belong to the City. The use of private property would consider easements, prescriptive use or adverse use and other issues which make this process very fact intensive ; (2) a State Statute which would prevent "land lock" of private property was clarified; (3) Assistant City Manager Schult clarified that the maintenance of Outreach Way is the responsibility of the owner. Approximately 7 years ago a pot hole had to be addressed and the City billed the owner for resolving the issue. Assistant City Manager Schult agreed to ensure the invoice had been paid.

It was noted that all the means of obtaining the piece of property in question would include cost allocation; the history of road maintenance and information on the process for Eminent Domain.

Regarding parking at the Health Department and Outreach Way, Assistant City Manager Schult requested this issue be brought back to the Commission at the November 28, 2017 Commission Meeting.

Mayor Yates expressed that she is willing to receive the information on obtaining the roadway but is unsure regarding the City taking over the roadway.

There was a consensus to look at ways to obtain the piece of property known as Outreach Way to prevent any further issues if by Eminent Domain or conveyance of some sort be it even a protection of State Statute or Federal Laws that prevent them from keeping us off the property and improving its surface.

Discussion ensued regarding: (1) the parking issue already addressed during the budget hearings; (2) incorporating parking on Outreach Way with the parking issues at the Health Center; (3) City Attorney Slayton noted that the Consensus requesting information regarding obtaining Outreach Way will take more than 1 month to complete; (4) the proposed consensus was clarified regarding staff direction to provide information regarding parking issues.

There was a consensus to have the City Manager put an item on a November Commission Meeting to bring to the Commission information in regards to the parking issue at the Health Department, Senior Center and Education Center and Outreach Way the same time information regarding obtaining Outreach Way is presented to the Commission.

4. CONSENT AGENDA:

Mayor Yates noted that approval of the minutes would be as amended.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell to approve Consent Agenda items A, B, and D pulling Agenda item C for discussion. The motion carried by the following vote:

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

- A.** [17-1412](#) Approval Minutes for July 11, 2017 Road & Drainage District Special Meeting; September 21, 2017 Road & Drainage District Special Meeting Budget Hearing.
- B.** [17-1301](#) Joint Funding Agreement for fiscal year 2017-2018 between the City of North Port and the U.S. Geological Survey, United States Department of the Interior (USGS) for the annual monitoring and maintenance of a data

collection program within the City of North Port for precipitation and water levels for a budgeted contract amount of \$14,400.00.

C. [17-1398](#)

Utilize the State of Florida Department of Management Services Motor Vehicles Contract #25100000-16-1 to purchase one (1) Ford CMax and one (1) Ford F-150 in the budgeted amount of \$49,717.90 for the Public Works Department, Operations and Maintenance Division.

Assistant City Manager Schult and Assistant Public Works Director Bramble provided an overview. Discussion ensued: (1) Assistant Public Works Director Bramble clarified the Ford CMax being used for Administrative purposes noting that the new vehicle will be utilized by all administrative staff for business purposes; (2) the current Ford F-150, which is utilized by the Operations Manager was coded as light service and the new F-150 is coded as heavily used. The Operations Manager uses the truck daily a large percentage of the time. The service type is related to how often the vehicle is run and what the service duty is. The new vehicle will remain as a 1 service type, but will be used heavily in the field; (3) after it was noted that there are currently several class actions suits pending against Ford, and there are a limited number of good reviews on the Ford CMax, Assistant Public Works Director Bramble clarified that the Ford CMax was chosen due to the size of the vehicle and the good gas mileage rating. For the past approximately 3 years, Public Works has used a Ford CMax with no maintenance or reliability issues. Public Works is attempting to standardize their fleet with Ford products due to the fact that maintenance has the parts and expertise to repair those vehicles if necessary; (4) it was expressed that having a Ford CMax in operation for the last 3 years without maintenance issues shows reliability of that vehicle make and model. Commissioner McDowell expressed her reason for not supporting this Agenda item or any future purchase of vehicles: (a) stating that there will be further discussion at a future meeting on how these vehicles are scored; (b) currently the score sheets show that the vehicles are driven less than 700 miles per month, are maintained on a regular basis, show good reliability and the conditions are listed as good; (c) for these reasons replacement of these vehicles is not justified.

A motion was made by Commissioner Luke, seconded by Vice-Mayor Carusone to approve Consent Agenda Item C. The motion carried by the following vote with Commission McDowell dissenting for reasons stated:

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

No: 1 - Commissioner McDowell

D. [17-1311](#)

Contract Amendment No. 1 to Contract No. 2016-51, Road Bond and Road Rehabilitation Project with Preferred Materials, Inc. in the amount of \$235,202.80.

5. PUBLIC COMMENT:

There was no public comment.

6. COMMISSION COMMUNICATIONS:

There were no Commission communications.

7. ADMINISTRATIVE AND LEGAL REPORTS:

There were no Administrative and legal reports.

8. ADJOURNMENT:

Mayor Yates adjourned the North Port Road and Drainage District Governing Body Regular Meeting at 5:20 p.m.

City of North Port, Florida

As the Governing Body of the North Port Road and Drainage District

By: _____
Vanessa Carusone, Mayor

Attest: _____
Patsy C. Adkins, MMC, City Clerk

Minutes approved at the Road and Drainage District Governing Body Regular Meeting this
____ day of _____, 2018