

**NORTH PORT CITY COMMISSION
MINUTES OF REGULAR MEETING
MONDAY OCTOBER 9, 2007**

PRESENT: Commissioner Gross, Chair; Commissioner Tower, Vice-Chair; Commissioners Blucher, Carusone, and Lockhart; City Manager Crowell; City Attorney Robinson; City Clerk Raimbeau; Deputy City Clerk Adkins; and Police Chief Lewis

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

The invocation was provided by Commissioner Tower.

The Pledge of Allegiance was led by the Commission.

APPROVAL OF AGENDA:

Commissioner Tower moved to approve the Agenda moving Public Hearing Item 4.A. to become Second Reading of Ordinance Item 3.B.; seconded by Commissioner Carusone.

Commissioner Carusone moved to amend the motion by adding, moving General Business Item 6.C. to be heard after the Consent Agenda; seconded by Commissioner Tower. The amendment to the motion carried unanimously.

The main motion as amended to read, "approve the Agenda moving Public Hearing Item 4.A. to become Second Reading of Ordinance Item 3.B., and moving General Business Item 6.C. to be heard after the Consent Agenda," passed unanimously.

1. **PUBLIC COMMENT:** 6:04 p.m. – 6:21 p.m.

2. **CONSENT AGENDA:**

- A. Approval of the Minutes for the September 24, 2007 Commission Regular Meeting. (Raimbeau)
- B. Appointment of Kevin Hall as a Regular member to the Ad Hoc 50th Anniversary Committee. (H. Raimbeau)
- C. Approval of the Cooperative Funding Agreement between the City of North Port and Southwest Florida Water Management District (SWFWMD) for the North Port Water Enhancement Program (W437). (C. Mick)
- D. Approval of request for extension of the Agreement for Professional Services dated September 18, 2007 with Biological Research Associates for the purpose of Environmental, Water Resource, and Comprehensive Plan Amendment Review Assistance. (S. Jones)
- E. Approval of State-Funded Sub grant Agreement for Local update of Census addresses. (S. Frank/S. Jones)
- F. Approval to authorize the City of North Port to participate in Option 1 of the Census 2010 "Local Update of Census Address" by executing and returning all required Census Bureau forms. (S. Frank/S. Jones)

- G. Approval of contract between Iron Mountain Information Management Inc. and the City of North Port for offsite back up storage as part of out disaster recovery plan. (S. Borgsdorf/J. Kingsley)
- H. Approval of Michael W. Hatfield for recommendation to the (MPO) Metropolitan Planning Organization as a North Port representative to the Citizens Advisory Committee. (H. Raimbeau)

Commissioner Carusone moved to approve the Consent Agenda for the October 9, 2007 Commission Regular Meeting; seconded by Commissioner Tower. The motion carried unanimously.

6. **GENERAL BUSINESS:**

- C. Discussion, and possible action, with regards to providing water and wastewater to the Myakka Oyster Bar. (Commissioner Blucher)

After Public Utilities Director Mick provided an update, discussion ensued regarding: (1) the need to hook-up to the City's water and Wastewater system is due to requirements from the Department of Environment of Project; (2) Myakka Oyster Bar will be required to build a lift station before connecting to the City System; (3) Myakka Oyster Bar can participate in the U.S. 41 Corridor Study, and agree to pay their fair share when the improvements are made; (4) Myakka Oyster Bar has hired an urban planner for proposed expansions to the business; (5) the Myakka Oyster Bar needs immediate hook up to the City Water System; (6) fees will be applied to the Myakka Oyster Bar's expansion project; (7) No other projects to be brought before the Commission until completion of the U.S. 41 Corridor Study; (8) this will not affect West Villages water supply. Thereafter, public comment was held.

Commissioner Carusone moved to direct staff to bring an agreement between the Myakka Oyster Bar and the City of North Port allowing water and sewer access with the conditions that were discussed during the October 9, 2007 Commission Meeting as follows: (1) Myakka Oyster Bar to participate in the U.S. 41 Corridor Study, (2) Myakka Oyster Bar to pay their fair share of improvements to the City's system, (3) fees to be applied when the Myakka Oyster Bar commences their expansion project, (4) the Myakka Oyster Bar understanding the reason for the special consideration is due only to potential environmental issues to the Myakka River; Seconded Commissioner Blucher. The motion carried unanimously.

Recess: 7:25 p.m. – 7:38 p.m.

3. **SECOND READING OF ORDINANCES:**

- A. Ordinance No. 07-36, second reading, amending City of North Port Ordinance No. 06-09. (C. Mick)

City Clerk Raimbeau read Ordinance No. 07-36 into the record by title only.

Commissioner Tower moved to approve Ordinance No. 07-36, amending City of North Port Ordinance No. 06-09; seconded by Commissioner Blucher. The motion carried unanimously.

- B. Ordinance No. 07-35, first reading, adopting a City-Wide Fee Schedule for Fiscal Year 2007-08. (T. Gould) (moved from Public Hearing)

City Clerk Raimbeau read Ordinance No. 07-35 into the record by title only.

Commissioner Blucher moved to re-open the Public Hearing on Ordinance No. 07-35; seconded by Commissioner Carusone. The motion carried unanimously.

Fiscal Operations Manager Becker provided a brief overview of the changes that were made to the Ordinance adding the property standard fees that had been deleted in error. There was no public comment.

Commissioner Carusone moved to continue Ordinance No. 07-35 for second reading to October 22, 2007; seconded by Commissioner Tower. The motion carried unanimously.

4. **PUBLIC HEARING:**

- B. Ordinance No. 07-39, first reading, Petition No. DCP-07-04 West Villages District Pattern Book (VDPB) and Index Map Amendment, Jeffery A. Boone, on behalf of Fourth Quarter Properties, XXXII, LLC, requests review of an amendment to the West Villages Village District Pattern Book and Index Map. This site contains ±8000 acres and is located at the intersection of US-41 and River Road. (S. Jones)

Commissioner Tower moved to continue Ordinance No. 07-39 for first reading to October 22, 2007; seconded by Commissioner Carusone. The motion carried unanimously.

5. **RESOLUTIONS:**

- A. Resolution No. 07-R-35, authorizing the Parks and Recreation Division to recruit and enter into contract with independent instructors to provide instruction for recreational programs and classes. (B. Ward/S. Crowell)

Subsequent to City Clerk Raimbeau reading Resolution No. 07-R-35 into the record by title only, Parks & Recreation Manager Ward provided a brief overview. Discussion ensued regarding: (1) \$10,000.00 has been appropriated in the budget for this purpose; (2) staff will do the recruiting of class instructors; (3) background checks will be required on instructors. Thereafter, public comment was held.

Commissioner Tower moved to approve Resolution No. 07-R-35, authorizing the Parks and Recreation Division to recruit and enter into contract with independent instructors to provide instruction for recreational programs and classes; seconded by Commissioner Carusone. The motion carried unanimously.

- B. Resolution No. 07-R-36, authorizing the Parks and Recreation Division to recruit and enter into contract with independent athletic officials for athletic league and tournament programs. (B. Ward/S. Crowell)

After City Clerk Raimbeau read Resolution No. 07-R-36 into the record by title only, Parks & Recreation Manager Ward provided a brief overview. There was no public comment.

Commissioner Carusone moved to approve Resolution No. 07-R-36, authorizing the Parks and Recreation Division to recruit and enter into contract with independent athletic officials for athletic league and tournament programs; seconded by Commissioner Tower. The motion carried unanimously.

- C. Resolution No. 07-R-42, recognizing City Government Week, October 21-27, 2007, and encouraging all citizens to support the celebration and corresponding activities. (H. Raimbeau)

City Clerk Raimbeau read Resolution No. 07-R-42 into the record by title only, and provided a brief overview. There was no public comment.

Commissioner Tower moved to approve Resolution No. 07-R-42, recognizing City Government Week, October 21-27, 2007, and encouraging all citizens to support the celebration and corresponding activities; seconded by Commissioner Carusone. The motion carried unanimously.

- D. Resolution No. 07-R-46, amending Resolution No. 02-R-55, amending attachment "A" relating to membership and appointment of members; amending attachment "C" relating to guidelines for the naming of buildings, facilities and parks. (H. Raimbeau/D. Schult)

City Clerk Raimbeau read Resolution No. 07-R-46 into the record by title only. There was no public comment. Commissioner Blucher stated that he would like this to be handled by staff and not a committee. The motion carried unanimously.

Commissioner Tower moved to approve Resolution No. 07-R-46, amending Resolution No. 02-R-55, amending attachment "A" relating to membership and appointment of members; amending attachment "C" relating to guidelines for the naming of buildings, facilities and parks; seconded by Commissioner Carusone. The motion carried on a four to one (4-1) vote. Commissioner Blucher dissented for reason stated above.

6. **GENERAL BUSINESS:**

- A. Discussion, and possible action regarding a presentation of Sarasota County's Fertilizer Ordinance and North Port's options for adoption of its own Fertilizer Ordinance. (E. Wong/P. Collins)

Stormwater Manager Wong provided a lengthy PowerPoint and discussion ensued regarding the options for adopting a Fertilizer Ordinance. Thereafter, public comment was held.

Commissioner Blucher moved to choose option 2, Sarasota County Fertilizer Ordinance with two minor changes: (1) use the 10 foot or top of the berm whichever is greater; and (2) landscaping fertilizer can be use year round; seconded Tower. The motion carried on a three to two (3-2) vote. Commissioner Carusone and Lockhart dissenting, stating that this Ordinance will be difficult to enforce.

- B. Discussion, and possible action, regarding award of contract for RV Park Water Loop Upgrades in the amount of \$89,000. (C. Mick)

Assistant Public Utilities Director Carrasquillo provided a brief overview of the contract for RV Park Water Loop upgrades. There was no public comment.

Commissioner Tower moved to approve award of Contract for RV Park Water Loop Upgrades to D.R. Swanson Company for an amount not to exceed \$89,000.00; seconded by Commissioner Carusone. The motion carried unanimously.

7. **COMMUNICATION FROM CITY MANAGER, CITY ATTORNEY, CITY CLERK:**

City Manager Crowell: Introduced Erin Brice, the new Community Outreach Manager.

City Attorney Robinson: the quarterly report will be provided to the Commission next week.

City Clerk Raimbeau: after requests, the following actions occurred: (1) there was a *consensus for the City Clerk to prepare proclamations for "Medical Assistant Day", "White Cane Day", "Arbor Day", and "Veterans Appreciation Week"*; (2) *consensus to Schedule a Joint Meeting with the Tamiami Trail Appearance Review Board for November 5, 2007 at 3:00 p.m.*; (3) *consensus to schedule a workshop pertaining to Tree Protection Regulations for November 5, 2007 at 5:30 p.m.*

8. **COMMUNICATION COMMISSION ACTIVITY:**

Commissioner Lockhart: announced that he has raised \$620.00 of the \$1000.00 needed to pay for a bus to transport the North Port High School Drum and Bugle Corp to the Veterans Day Parade.

Commissioner Tower: expressed concern regarding impact fees that are being charged to small business owner's and requested that staff provide information pertaining to the impact fees for the different categories.

Commissioner Carusone: announced that the Harvest Fair is Saturday, October 13, 2007 from 9:00 a.m. – 4:00 p.m. and that the proceeds will benefit Early Bird Kiwanis.

Commissioner Blucher: Thanked City Engineer Collins and Stormwater Manager Wong for a wonderful Fertilizer Ordinance presentation.

Commissioner Gross: nothing to report.

9. **ADJOURNMENT:**

Chair Gross adjourned the October 9, 2007 Commission Regular Meeting at 9:48 p.m.

CITY OF NORTH PORT, FLORIDA

BY: Barbara L. Gross
BARBARA L. GROSS, COMMISSION
CHAIR

ATTEST:

Helen M. Raimbeau
HELEN M. RAIMBEAU, CMC
CITY CLERK

Minutes approved at the North Port Commission Regular Meeting on this 24th day of October 2007.