

November 5th, 2014
5:30 PM

The City Council of the City of Inverness met on the above date in Regular Session at 212 W. Main Street with the following members present:

President Hinkle
Vice President Hepfer
Councilwoman Bega (Not Present)
Councilman McBride
Councilman Ryan
Mayor Plaisted

Also present were City Manager DiGiovanni, City Attorney Haag, Asst. City Manager Williams, Events Coordinator Austin, Woodard & Curran Director Regina and City Clerk Davis.

The Invocation was given by V. President Hepfer and the Pledge of Allegiance was led by the City Council.

ACCEPTANCE OF AGENDA

Councilwoman Hepfer motioned to accept the Agenda as presented. Seconded by Councilman Ryan. The motioned carried.

PUBLIC HEARINGS

None

OPEN PUBLIC MEETING

None

SCHEDULED APPEARANCES

None

MAYOR'S LOCAL ACHIEVEMENT AWARDS

The Mayor presented a proclamation for "Farm-City Week" to Jimmy Brooks, V. President of Citrus County Farm Bureau, and Marnie Ward, Citrus County 4-H Agent.

CITY ATTORNEY REPORT

8)a) Proposed Land Procurement Ordinance Repeal – 1st Reading was addressed by Attorney Haag. He advised that in September of this year, City Council adopted Ordinance 2014-705, to identify procedures to acquire real property. He noted a coding error, which placed the new ordinance as part of City Charter Section 5.22, and not the City Code of Ordinances where it belongs. (The City Charter may only be amended by a vote of the people.) To correct the situation a new Ordinance was developed which repeals the previously adopted ordinance. The new Ordinance is codified as 2014-708 to repeal Ordinance 2014-705, and which references City Code Section 2.74.

City Attorney Haag further recommended to (eventually) bring the matter before City Electors, as a ballot measure, to modify the Charter, and combine both Sections to place all parts of Real property acquisition in one place in the Charter. He additionally recommends that the City address current Charter language that requires “two appraisals”, again by ballot measure to the Electors, to require one or more appraisals. The rationale being that in situations of a Special Assessment or Code Enforcement Foreclosure activity, etc., the sale of “property” would not bring an amount substantial enough to off-set the cost of two appraisals.

City Manager DiGiovanni stated that at this time no action is necessary for what’s suggested, with the exception of the Repeal of Ordinance 2014-705.

Councilman Ryan motioned to have the City Clerk read Ordinance 2014 – 08 by title only for the 1st reading . Seconded by Councilman McBride. The motion carried.

ORDINANCE NO. 2014 - 708

AN ORDINANCE OF THE CITY OF INVERNESS, FLORIDA, PROVIDING FOR PROCEDURES FOR THE ACQUISITION OF REAL PROPERTY BY THE CITY FOR MUNICIPAL PURPOSES; PROVIDING FOR THE POWERS OF THE CITY MANAGER; PROVIDING FOR APPROVALS BY THE CITY COUNCIL; PROVIDING FOR APPRAISALS; PROVIDING FOR REPEAL OF ORDINANCE NO. 2014-705; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE; AND, PROVIDING FOR AN EFFECTIVE DATE.

Councilwoman Hepfer motioned to approve Ordinance on the first reading by roll call vote. Seconded by Councilman McBride. Roll call vote was as follows:, Councilman Ryan, yes; Councilman McBride, yes; Councilwoman Hepfer, yes; President Hinkle, yes. The motion carried.

CONSENT AGENDA

Councilwoman Hepfer motioned to accept the Consent Agenda. Seconded by Councilman McBride. The motion carried.

- a) Bill Listing*
 - Recommendation – Approval
- b) Council Minutes – 10/21/14*
 - Recommendation – Approval
- c) Proclamation – “National Hospice & Palliative Care Month”
 - Recommendation – Approval

CITY MANAGER’S REPORT

10)a) Surplus Property Disposal was addressed by City Manager DiGiovanni who presented information submitted by City Clerk Davis on the declaring of equipment and vehicles as surplus so staff may begin the process of disposal, to include the eventual online bid process, which has been extremely successful.

Councilman Ryan motioned to declare the listed items surplus property and authorize that we proceed with the disposal process. Seconded by Councilwoman Hepfer. Motion carried.

10)b) Bid Recommendation – Grounds Maintenance was addressed and City Manager DiGiovanni explained that the Bid Process was followed and bids were received. During the process, a flaw was discovered in the bid document that may only be corrected by terminating the process. We have made corrections and are prepared to rebid the program, with intent to make a recommendation in December. Council action is required to reject any and all bids.

Councilwoman Hepfer motioned to reject any and all bids for landscaping services because of an error in the bid document. Seconded by Councilman McBride. The motion carried.

10)c) Cooter Pond Aquatic Weed Grant was addressed. City Manager DiGiovanni advised that just last week, our office became aware of a Grant opportunity to secure up to \$10,000 in “matching” funds to assist the City with the removal of invasive aquatic weeds in Cooter Pond. We currently budget for the removal of weeds, however this will allow more to be accomplished. He made the decision to proceed, with interest to position the City to secure these funds, and we are bringing this forward publicly to keep City Council informed of such movement. It is recommended City Council support this initiative.

Councilman McBride motioned to approve the submittal for up to \$10,000 in State Grant support through the Department of Environmental Protection, to fund removal of invasive aquatic weeds in Cooter Pond. Seconded by Councilwoman Hepfer. The motion carried.

10)d) Parking Ordinance - 1st Reading was addressed by City Manager DiGiovanni who explained that the proposed Ordinance has been submitted for consideration on September 16th and October 7th, 2014, which was again tabled, and is before Council this evening. Reference was made to certain elements found in a Parking Ordinance approved by City Council in the year 1926. Elements included regulating traffic in the streets, mandating driving through town @15mp, penalty fines of \$100, and manual labor penalties, etc., and noted how restrictive it was, and yet necessary to address parking, 88 years ago. There needs to be some standards and protocols regarding parking for commercial, residential, and safety interest.

City Manager referenced the zone map that was included in the presentation. He noted the color coding of the map determining time limits involved in the downtown area. Around 1985, the Council imposed the 2-hour parking limit to create turn over. He spoke of the businesses in downtown and how well they are doing, and how we got to where we are. This is not targeted at any one individual or business, but to find a means of the foundation for the greater good to prevail. He stated that staff will have future meetings with high profile people of HCA Hospital and parking will be discussed.

Councilwoman Hepfer motioned to have the City Clerk read Ordinance 2014-707 by title only for the first reading. Seconded by Councilman Ryan. The motion carried.

ORDINANCE NO. 2014 – 707

AN ORDINANCE OF THE CITY OF INVERNESS AMENDING THE CODE OF ORDINANCES BY REPEALING ARTICLE III., SECTIONS 21-11 THROUGH

21-36, CHAPTER 21 OF THE CODE OF ORDINANCES, ADOPTING A NEW ARTICLE III OF CHAPTER 21 OF THE CODE OF ORDINANCES; PROVIDING FOR SHORT TITLE; PROVIDING FOR DEFINITIONS; PROVIDING FOR DUTIES GENERALLY; PROVIDING FOR MANNER OF PARKING; PROVIDING FOR PARKING OF VEHICLES WITHOUT AFFIXED CURRENT AND VALID REGISTRATION LICENSE PLATE AND VALIDATION STICKER; REMOVING, IMPOUNDING OF VEHICLES WITHOUT AFFIXED CURRENT AND VALID REGISTRATION LICENSE PLATE AND VALIDATION STICKER; PROVIDING FOR STOPPING, STANDING OR PARKING PROHIBITED IN SPECIFIED PLACES; PROVIDING FOR STOPPING, STANDING OR PARKING SO AS NOT TO OBSTRUCT TRAFFIC; PROVIDING FOR OVERTIME PARKING IN PARKING ZONES; PROVIDING FOR PARKING FOR CERTAIN PURPOSES PROHIBITED; PROVIDING FOR ADVERTISING; PROVIDING PARKING ON PARKWAYS; PROVIDING FOR REMOVAL AND IMPOUNDMENT OF ILLEGALLY PARKED, ABANDONED OR DISABLED VEHICLES; PROVIDING FOR STORAGE COSTS AND REMOVAL OF IMPOUNDED VEHICLES; PROVIDING FOR STOPPING, STANDING OR PARKING IN MORE THAN ONE SPACE; PROVIDING FOR MARKING OF SPACES; VEHICLES TO BE PARKED WITHIN MARKED LINES; PROVIDING FOR USE RESTRICTED TO CERTAIN TYPE OF VEHICLES; PROVIDING FOR USE RESTRICTED TO PARKING AND INCIDENTS THEREOF; PROVIDING FOR MOVEMENT OF VEHICLES IN PARKING AREAS; PROVIDING FOR MANNER OF PARKING; PROVIDING FOR BACKING; PROVIDING FOR SPEED; PROVIDING FOR APPLICABILITY OF GENERAL TRAFFIC ORDINANCES AND STATE STATUTES; PROVIDING FOR PERMIT PARKING; PROVIDING FOR LIABILITY FOR PAYMENT OF PARKING TICKET VIOLATIONS; PROVIDING FOR PERMIT PARKING AREAS, PERMITS AND CARDS; PROVIDING FOR THE REPEAL OF INCONSISTENT ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR INCLUSION IN THE CODE OF ORDINANCES; AND, PROVIDING AN EFFECTIVE DATE.

Discussion:

Councilman Ryan spoke of previous discussions and there being no problem with ordinance. He referenced the City Attorney's comments on having a parked vehicle on their property. City Manager DiGiovanni noted there seems to be a gray area and degree of subjectivity and discretion must be used. He spoke of the difference with ordinances and the Land Development Code.

Councilman McBride was concerned the ordinance is long, complex and difficult to understand, but if shortened it may not be clear. Hopes that we work with Sheriff's officers and work with the public until they are used to these changes. He stated that we can't have ordinance that will cover all situations and please everyone.

City Manager DiGiovanni stated the zones should make it easier for everyone to understand the various time limits with parking.

Councilman McBride motioned to adopt Ordinance 2014-707 on the first reading by roll-call vote. Seconded by Councilwoman Hepfer. Roll call vote was as follows:

Councilman Ryan, yes; Councilman McBride, yes; Councilwoman Hepfer, yes; President Hinkle, yes. The motion carried.

10)e) Auditor Contract was addressed. City Manager DiGiovanni advised that the contract between the City of Inverness and McDirmit & Davis for independent auditing services for fiscal cycles 2014 through 2016 was provided in the agenda packet. The Agreement is based on the bid for services scope and meets audit conditions by the State of Florida to include local needs, and has been reviewed by Legal Counsel.

Councilwoman Hepfer motioned to accept the provided contract with McDirmit & Davis for auditor services, and authorize the Council President to execute the contract and related documents and deemed necessary and appropriate. Seconded by Councilman Ryan. The motion carried.

10)f) Valerie Theatre Update (verbal) noted the monthly progress report of the Valerie Theater, noting parts of building completed. Involved project and an additional report and fly over viewing at the next meeting of City Council.

City Manager DiGiovanni additionally reported on the following:

- Last meeting there was a brief conversation regarding penetration of the City utility area by the County. He attended a meeting of the BOCC to make statements of what it means and importance to work together in a respectful manner. We will see how this materializes.
- Met with Mr. William Grant informally, regarding the new hospital owners and assures that he will get us the paperwork that defines the terms and conditions of the agreement, and the elements of the board makeup. At some time a member of City Council will need to be voted on to serve on the local Citrus County healthcare committee.
- Election results showed that the reelected councilmembers will be sworn in by the City Clerk at the first meeting in December. Spoke to the 2 new members of the County Commission and should expect a change in direction, and will see how things go.
- City Attorney Haag mentioned the City Charter and the need to make changes to allow us to bring sections of the charter that need changed to council. He asked they bring forward any changes they may feel necessary.

COUNCIL/MAYOR SUBJECTS

Mayor Plaisted stated Cooterween went wonderful this year. Last Monday, Nature Coast Ministries met with the Hospital Board and became beneficiaries of \$100,000 for dental care, and was thankful the Hospital Board considered them. He attended the unveiling of the Empty Chair Service honoring POWs & MIAs at the High School. Spoke of new restaurants coming into the City. Looking forward to a new era with the County Commissioners. Thanksgiving Feeding Alliance will be on November 22.

Councilwoman Hepfer regretted that she was unable to attend Cooter Fest due to illness, but looking forward to the Grand Prix races and Thanksgiving. Spoke to her grandson who is in the service.

Councilman Ryan attended the competition for Cooter Idol and Festival Queen, Rock the Block, Cooter Festival, and Cooterween which was fun. Expressed appreciation to city staff and personnel for the great event. He attended the Art Festival weekend, and honored to be a councilman.

Councilman McBride missed his first Cooter Fest, as he was out of town. Heard nothing but good things about the Cooter Festival. He spoke of the new County Commissioners and look forward to working with them in a positive way, which this city hasn't seen in awhile. When people set aside their ideologies and check their egos at the door to do the best thing for the people.

Council President Hinkle asked City Clerk Davis about her son being honored by the City of Lakeland for his service to our Country. He spoke of the many events happening in the City, Rails to Trails, biking, kayaking, etc. He is looking forward to working with the new commissioners.

CITIZENS NOT ON AGENDA

George Gouldbourn of Inverness spoke to the parking ordinance regarding provision for driving and parking his bus, with City Manager DiGiovanni stating the parking ordinance does not include anything to do with moving the bus, and a special permit can be issued to accommodate the parking of the bus.

Karen Esty of Inverness questioned if the parking ordinance has provisions for special events, with City Manager stating we do accommodate during these events. She spoke to employee parking for local businesses and her idea would be to obtain grant money for a six passenger electric tram to transport people from parking to the businesses. She attended the public hearing at County Commission meeting regarding Animal Services property needs and the medical corridor.

The meeting adjourned at 6:51pm.

City Clerk

Council President