



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final Road and Drainage District Governing Body

CITY COMMISSIONERS

Debbie McDowell, Mayor

Jill Luke, Vice Mayor

Christopher Hanks, Commissioner

Pete Emrich, Commissioner

Vanessa Carusone, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Tuesday, May 26, 2020

4:00 PM

Zoom

Virtual Meeting

CALL TO ORDER

Mayor McDowell called the meeting to order at 4:18 p.m.

ROLL CALL

Mayor Mc Dowell announced there was a quorum.

Present: 5 - Commissioner Christopher Hanks, Mayor Debbie McDowell, Vice Mayor Jill Luke, Commissioner Pete Emrich and Commissioner Vanessa Carusone

Also Present:

City Manager Peter Lear, City Attorney Amber Slayton, City Clerk Heather Taylor and Police Chief Todd Garrison, Fire Chief Scott Titus and Public Works Director Julie Bellia.

Ms. Slayton provided a brief introduction relative to the virtual meeting.

1. APPROVAL OF AGENDA

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve the agenda as presented. The motion carried on the following vote:

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

2. PUBLIC COMMENT:

There was no public comment.

3. CONSENT AGENDA:

A motion was made by Vice Mayor Luke, seconded by Commission Emrich, to approve the consent agenda as presented. The motion carried on voice vote.

20-2195 Approve Minutes for the March 24, 2020 Road and Drainage District Regular Meeting and April 28, 2020 Road and Drainage District Regular Meeting

This item was approved on consent.

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

20-2191 Presentation Regarding Exemptions from Road & Drainage District Assessments and Fire Rescue District Assessments

Mr. Lear introduced the item.

Chief Titus provided a presentation including previous exemption options presented to Commission, and prior consensus for Solid Waste and Fire Rescue Districts.

Ms. Bellia spoke to Road and Drainage non-ad valorem assessments.

Discussion followed regarding calculation of possible assessments for Road and Drainage, methodologies to calculate for sanctuaries, concern with not collecting stormwater fees from churches and businesses that do not pay assessments, exemption criteria for Road and Drainage, and using assessments to fund projects.

Chief Titus spoke to prior Commission discussion regarding de minimis standard, and Road and Drainage versus Fire Rescue standards.

Discussion continued regarding cost to conduct study to include sanctuaries and lowering residential assessment by removing exemption.

Mr. Lear spoke to making changes during the next methodology due to cost.

Discussion ensued regarding achieving a calculation on exempt properties, reviewing list of assessment exemptions, and cost savings through social services provided by churches.

Ms. Slayton clarified residents do not pay higher assessments due to exemptions.

Further discussion took place regarding procedure for outside municipalities, using the current methodology to determine amount, and drainage assessment being city-wide.

There was consensus for the City Manager to bring back further information using the current methodology removing the current exemptions for Road and Drainage city-wide.

Discussion took place regarding prior case regarding removing exemptions, discretionary exemptions and additional information needed.

There was consensus for the City Manager to provide a memorandum showing which entities are exempt from assessments, why and financial impact.

There was consensus to direct the City Manager to prepare financial impact for removing the Fire Rescue assessment for houses of worship and their property as is currently done with Road and Drainage.

5. PUBLIC HEARINGS:

RES. NO.
2020-R-17

A Resolution of the City of North Port, Florida, Approving and Authorizing the Mayor to Execute the State of Florida Department of Transportation State Highway Lighting, Maintenance, and Compensation Agreement for all Streetlights (288) Located on U.S. Highway 41; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date

Ms. Taylor read the resolution by title only.

Mr. Lear introduced the item.

There was no public comment.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve Resolution No. 2020-R-17 as presented. The motion carried on the following vote:

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

6. GENERAL BUSINESS:

20-2221

Discussion and Possible Action Regarding the Status Report on Assuming Ownership and Maintenance Responsibility of the Private Road Behind the Commercial Properties Along the Southwest Side of U.S. 41 Between Sumter Boulevard and Tuscola Boulevard

Mr. Lear introduced the item.

Ms. Bellia provided a presentation including prior Commission direction, drainage issues, process for cost analysis, legal opinion regarding the City assisting with maintenance and responded to Commission questions regarding process for enforcement.

Mr. Lear spoke to communications received and the request to provide resolution.

Discussion took place regarding repairs previously made by the City, the balance due, and utilizing the Code Enforcement process to receive payment.

Ms. Slayton responded to questions regarding special assessment for repairs to upgrade the road.

Discussion continued regarding responsibility of property owner to maintain road and cost for repairs.

There was no public comment.

Mr. Lear spoke to Fire Rescue and Emergency Medical Services (EMS) access and responsibility of property owner to maintain the road.

Discussion followed regarding legal repercussion due to safety issues.

Ms. Bellia recommended Public Works work with Neighborhood Development Services for a commercial property maintenance code.

Further discussion took place regarding commercial property maintenance code being separate from code enforcement, modifications during the Unified Land Development Code (ULDC) rewrite, and sending a letter to property owners.

Chief Titus spoke to gathering more information regarding how the road was installed to determine if it is to City standard, safety hazards, and possibility to close the road to public use.

There was a consensus to direct the City Attorney to research legal actions that can be taken against property owners if roads become unserviceable.

7. PUBLIC COMMENT:

There was no public comment.

8. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 5:50 p.m.

City of North Port, Florida
As the Governing Body of the Road and Drainage District

By: _____
Debbie McDowell, Mayor

Attest: _____
Heather Taylor, City Clerk

Minutes approved at the Road and Drainage District Regular Meeting this ____ day of _____, 2020.