



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Regular Meeting

CITY COMMISSIONERS

Christopher B. Hanks, Mayor
Debbie McDowell, Vice-Mayor
Vanessa Carusone, Commissioner
Peter Emrich, Commissioner
Jill Luke, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Kathryn Wong, City Clerk
Heather Taylor, Deputy City Clerk

Tuesday, April 23, 2019

6:00 PM

CITY COMMISSION CHAMBERS

MINUTES APPROVED AT THE 05-28-2019 MEETING.

CALL TO ORDER

The North Port City Commission Regular Meeting was called to order at 6:01 p.m. in City Commission Chambers by Mayor Hanks.

ROLL CALL

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

Also present:

City Manager Peter Lear, City Attorney Amber Slayton, City Clerk Katy Wong, Recording Secretary Laura Reed, Police Chief Todd Garrison, Fire Chief Scott Titus, Neighborhood Development Services Director Frank Miles, Senior Planner Heather Hansen, Public Works Director Julie Bellia, Assistant City Manager Cari Branco, Project Engineer Benjamin Newman, Administrative Manager Katrina Romano, and Human Resources Manager Deborah Hope.

The Pledge of Allegiance was led by the Commission.

1. APPROVAL OF AGENDA – COMMISSION

Vice-Mayor McDowell suggested moving item 6.G. after 6.A., and Ms. Wong asked to remove items 4.A. and 7.C.

Ms. Wong explained Commissioner Emrich is filing the seat with the Florida League of Cities Legislative Policy Committee vacated by Commissioner Yates.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Carusone, to approve the Agenda with the following changes, item 4.A. to be removed, item 6.G. will be heard after 6.A., and remove item 7.C. The motion carried by the following vote:

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

2. ANNOUNCEMENTS

- A.** [19-0426](#) Current Vacancies for Boards and Committees and Upcoming Expiration Dates for Boards and Committees.

Ms. Wong read the Current Vacancies and Upcoming Expiration Dates for Boards and Committees into the record.

3. PUBLIC COMMENT:

Public comment was held from 6:10 p.m. - 6:20 p.m.

Tim Doyle: complaint with City

Dennis Sauer: eminent domain for Price Boulevard project

Mr. Lear explained eminent domain has not been authorized at this time, provided an overview of letters previously sent to property owners, noted properties purchased for the project, and Mr. Yarborough to verify if Mr. Sauer's property is on the list.

Ms. Slayton clarified letters initially sent to owners of vacant land noticed eminent domain as an option, subsequent letters didn't include eminent domain as an option.

Laura Pucci: Art Advisory Board member spoke to Agenda item 7.A. and provided copies of the presentation.

4. PROCLAMATIONS AND RECOGNITIONS: TIME CERTAIN AT 6:00 P.M.

- A.** [19-0014](#) Proclaim April 2019 as City of North Port Volunteer Month, Presented to Donald Fowler, Volunteer Coordinator, City of North Port Police Department

This item was removed from the Agenda.

- B.** [19-0413](#) Proclaim April 2019 as Autism Awareness Month

Commissioner Luke read the Autism Awareness Month Proclamation and presented it to Dori and Lenny Chambers.

5. CONSENT AGENDA:

After a request by the Mayor, the Commission determined that they would like to pull Consent Agenda items D and E for discussion.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to approve Consent Agenda items A, B, C, F, G and H, pulling items D and E. The motion carried by the following vote:

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

- A. [19-0428](#) Approval of Minutes for the March 19, 2019 Commission Regular Meeting.
This item was approved on Consent.
- B. [19-0383](#) Canine Donation in the amount of \$10,000.00
This item was approved on Consent.
- C. [19-0379](#) Lexis Advance Subscription Agreement with LexisNexis for electronic legal research for the City Attorney's Office
This item was approved on Consent.
- D. [19-0390](#) Approve Interlocal Agreements with Sarasota County for the Local Option Fuel Tax Revenue Distribution
Mr. Lear noted corrections to the agreement which are 16.92% for North Port and 13.3748% for the City of Sarasota.
Discussion ensued regarding the agreements with respect to motor fuel sales, diesel sales, taxes on purchases and disposal, and the option for a one-cent municipal gas tax.
A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell to accept 5.D. with changes that have been brought forward. The motion carried by the following vote:
Yes: 5 - Mayor Hanks, Vice-Mayor McDowell, Commissioner Luke, Commissioner Emrich and Commissioner Carusone
Discussion continued regarding staff researching feasibility of implementing a municipal one-cent tax with funding being used for right-of-way drainage.
There was a consensus to research feasibility of instituting a one-cent municipal tax, including estimated revenue, estimated costs and the process to institute, including need for referendum or by resolution, the pros and cons, and if other cities in Florida have this.
- E. [19-0363](#) Interagency Agreement regarding sharing information about Juvenile Offenders.
Ms. Slayton explained the agreement is to comply with Florida State Statute (FSS) 985.04, sharing of a juvenile's criminal history with school personnel, law enforcement access to school records, and notifying teachers of probation or felony offenses.
Commissioner Carusone expressed concern that the agreement does not specify conditions for information to be shared between law enforcement and the schools, and it should be clarified to release information pertaining specifically to felony actions.
Ms. Slayton spoke to two requirements in the FSS, the first being summary of criminal history information which does not state limited to a felony offense, and the second being notification to a teacher if a juvenile has been placed on probation or commitment for a felony offense.
Discussion ensued regarding the intent to share information with schools involving threats and violent acts, and repercussions for children if information of a lesser offense is released.

Ms. Slayton reiterated the terms in the agreement and explained though section B of the agreement allows for subjectivity the FSS does not define the summary of criminal history, and that an arrest record is kept in a criminal record unless expunged.

Mr. Garrison explained that North Port is the last agency within Sarasota County to sign the agreement, that each county is required to enact this agreement, and provided FSS history regarding release of information for juveniles notwithstanding exemptions provided in FSS 119.

Discussion ensued regarding the intent of the statute not being captured within the agreement and sharing of juvenile criminal history without specifics.

Mr. Garrison responded to Commission questions that the language specifies information regarding arrest records and does not specify disposition of a case, and the intent does not pertain to police encounters.

Ms. Slayton explained the statute requires the agreement to provide conditions of the summary criminal history information to be shared, and the statute does not delineate felony action.

Commission discussion continued regarding repeal of the statute in October 2021 unless renewed, the five-year renewal language in the agreement, and the future validity of the agreement.

Commissioner Carusone stated she will be dissenting because of her concerns with erosion of the judicial system, and protection for children and their parents.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to approve Consent Agenda item E. The motion failed by the following vote:

Yes: 2 - Mayor Hanks and Commissioner Luke

No: 3 - Vice-Mayor McDowell, Commissioner Emrich and Commissioner Carusone

Vice-Mayor McDowell stated she dissented because the agreement is ambiguous.

Commissioner Emrich stated he dissented because the agreement is vague.

Discussion ensued regarding modification of the agreement to define specifics of information to be shared and resigning by all agencies.

Commissioner Carusone suggested that she work with staff to address specifics to develop an interagency agreement to be brought back to Commission.

Ms. Slayton noted that modifications to the agreement must be agreed upon by all governing bodies, that the statute provides that each county shall enter into an interagency agreement.

There was a consensus for Commissioner Carusone to work with staff.

PUBLIC COMMENT

John Paine: spoke to serving on the Zoning Board of Appeals.

Recess was taken from 7:14 p.m. - 7:26 p.m.

- F. [19-0347](#) Interlocal Agreement Between the City of North Port, Florida and the School Board of Sarasota County, Florida for Law Enforcement Dispatch Services and Related Communications Services.

This item was approved on Consent.

- G. [19-0374](#) Appointment of John Paine to the Zoning Board of Appeals.

This item was approved on Consent.

- H. [19-0394](#) Appointment of Justin Willis for a second term as a Regular Member to the Charter Review Advisory Board.

This item was approved on Consent.

6. PUBLIC HEARINGS:

- A. [CC](#)
[PLF-18-245](#) Replat, Dollar Tree, Lots 14 and 25 in the Park of Commerce (QUASI-JUDICIAL)

The Applicant was not present, and staff asked that the matter be set for the next Commission meeting.

Mayor Hanks stated that item 6.G. will be taken next by the Commission, if the Applicant for 6.A. appears during the Public Hearings segment this evening the matter will be heard, and if they do not appear this evening the item will be continued to another Commission meeting.

- G. [CC](#)
[DMP-18-136](#) Biscayne Square, Development Master Plan for a Four-Phased Mixed Use Development in a Neighborhood Commercial-High Intensity Zoning District (QUASI-JUDICIAL)

Ms. Wong swore in those wishing to provide testimony.

Commissioner Luke and Mayor Hanks stated they did not have any ex-parte communications.

Vice-Mayor McDowell stated she had an agenda briefing with the City Manager, both Assistant City Managers, and the City Attorney, and email communications copied to the City Clerk.

Timothy Powell, President TSP Companies, Inc. and Jason Kendall, Brad Design and Engineering on behalf of the Applicant gave a presentation of the project and noted the request for two waivers related to parking, acknowledged and accepted staff recommendations, and explained that the multi-family dwelling unit will not be built until the commercial building has been completed.

Commissioner Emrich joined the meeting at 7:31 p.m.
Commissioner Carusone joined the meeting at 7:32 p.m.

Ms. Hanson spoke to property zoning, handed out copies regarding interpretation of the Unified Land Development Code (ULDC), noted the buffer is to be 20-feet and recommends this as a condition of the final Development Master Plan (DMP), and noted the fiscal impact will be a net deficit for 17 years.

Ms. Wong stated nothing had been received by any potential aggrieved parties.

Commissioners Emrich and Carusone stated they did not have any ex-parte communications.

There was no public comment.

Mr. Kendall and Mr. Powell answered questions for the Commission regarding traffic studies, landscaping and buffering from the easement, and installation of turn lanes and traffic signals.

Discussion ensued regarding design standards, maximum square footage and permitted uses within the Code, multi-family dwellings in neighborhood commercial-high intensity zoning as an accessory use, approval of use remaining with property with time constraints for completion, housing being built after commercial building completed, and projected building occupancy. Vice-Mayor McDowell handed out copies from the ULDC pertaining to permitted uses, zoning regulations, buffer zone and landscaping.

Ms. Slayton explained that denial of the request requires stating factual findings to support decision with competent and substantial evidence.

There were no aggrieved or affected parties.

There were no closing arguments by staff.

Mr. Powell provided a closing argument that the Applicant has worked with staff and have met the requirements.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to approve DMP-18-136 with the recommendations that follow suit with the Planning and Zoning Advisory Board (PZAB), 1) building permits for the apartment building cannot be issued until at least 12 business units are completed; 2) the square footage for the multi-family development cannot exceed the square footage of the commercial development; 3) the urban design standard review is required for development in neighborhood commercial zoning districts, the development will need to adhere to the design standards of Activity Center 7 The Springs, and the two waivers which were agreed upon by staff pertaining to the parking lot, and setback being 20-feet instead of 10-feet, and the additional waiver for minimum parking.

A motion to amend was made by Vice-Mayor McDowell seconded by Commissioner Luke, that the applicant shall be required to follow the landscaping requirements, outlined in Code 53-182(A)(1)(a) specifically for the buffer wall. The amendment was carried by the following vote:

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

Discussion ensued regarding the intent of residential units to be included within a commercial building in Neighborhood Commercial zoning, and the need for multi-family housing in the City.

A motion to amend was made by Vice-Mayor McDowell, that the applicant shall be required to install the left turn lanes on Ponce de Leon and Biscayne prior to the first certificate of occupancy (CO) being issued for the project. The amendment

failed for lack of a second.

Mr. Newman explained that both left turn lanes will be required in the first phase of the master site development plan.

A motion to amend was made by Commissioner Carusone, seconded by Vice-Mayor McDowell, that during the master site development plan the requirement of the two turning lanes both on Ponce de Leon and Biscayne are required in the first phase. The amendment carried by the following vote:

Yes: 4 - Vice-Mayor McDowell, Commissioner Luke, Commissioner Emrich and Commissioner Carusone

No: 1 - Mayor Hanks

Mayor Hanks stated he dissented because "we keep beating a dead horse".

A motion to amend was made by Commissioner McDowell, that the applicant shall be required to follow the 5,000 square foot maximum per use, with 5,000 for retail, 5,000 for personal service, 5,000 for convenience and 5,000 for accessory which is the apartments. The amendment failed for lack of a second.

A vote was taken on the main motion, as amended, to approve DMP-18-136 with the recommendations that follow suit with the Planning and Zoning Advisory Board (PZAB), 1) building permits for the apartment building cannot be issued until at least 12 business units are completed; 2) the square footage for the multi-family development cannot exceed the square footage of the commercial development; 3) the urban design standard review is required for development in neighborhood commercial zoning districts, the development will need to adhere to the design standards of Activity Center 7 The Springs, and the two waivers which were agreed upon by staff pertaining to the parking lot, and setback being 20-feet instead of 10-feet, and the additional waiver for minimum parking, and that the applicant shall be required to follow the landscaping requirements, outlined in Code 53-182(A)(1) (a) specifically for the buffer wall, and that during the master site development plan the requirement of the two turning lanes both on Ponce de Leon and Biscayne are required in the first phase. The amended motion carried by the following vote:

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

A. [CC](#) [PLF-18-245](#) Replat, Dollar Tree, Lots 14 and 25 in the Park of Commerce (QUASI-JUDICIAL)

Mr. Miles spoke to the Applicant being notified of this hearing and that they appeared for the Planning and Zoning Advisory Board (PZAB) review.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to table this item to a later date. The motion carried by the following vote:

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

B. [19-0175](#) Resolution No. 2018-R-29, authorizing and directing the acquisition by any legal means of certain parcels that are required for stormwater retention ponds as part of the Price Boulevard Widening Project from Sumter Boulevard to Toledo Blade Boulevard.

Ms. Wong read Resolution 2018-R-29 by title only.

Mr. Lear gave an overview of the item.

Ms. Bellia presented the item noting prior notification to property owners, the purchase of six of the 16 parcels with another two parcels being identified, review of previous Commission direction, the 90% plans from the consulting engineer having been received and under review, the Southwest Florida Water Management District (SWFWMD) stormwater permitting process, any changes to the stormwater ponds requiring a complete redesign with consultant review and modification of SWFWMD permitting, and noted corrections will be made to the first whereas clause regarding the five-lane undivided arterial road.

Ms. Slayton addressed questions from the Commission regarding payment of parcels, the process of eminent domain, associated costs and legal fees.

PUBLIC COMMENT

Steve Barnhardt: cautioned action using eminent domain.

Ms. Slayton explained that letters sent offered property exchange as an option.

Mr. Newman spoke to the efficiency of a one-pond location requiring less piping.

Discussion ensued regarding legal costs versus the cost of improvements, and flexibility in selecting parcels for the retention pond.

Ms. Slayton explained that specificity is required in the ordinance if acting on eminent domain becomes necessary, another resolution can be brought back for additional properties, various methods used to contact owners, including language in the resolution regarding property exchange, property exchange being the City Manager's discretion and dependent on parcels available, and FSS requiring a monetary offer.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to approve Resolution 2018-R-29, with change in the first whereas. The motion carried by the following vote:

Yes: 4 - Mayor Hanks, Commissioner Luke, Commissioner Emrich and Commissioner Carusone

No: 1 - Vice-Mayor McDowell

Vice-Mayor McDowell stated she dissented because eminent domain is the biggest government intrusion on personal property rights, the project has been in place for years and the City has only started to purchase properties, projects need to be better planned rather than take property.

C. [19-0279](#)

Resolution No. 2019-R-03, City of North Port to Join the American Flood Coalition

Ms. Wong read Resolution 2019-R-03 by title only.

Mr. Lear gave an overview of the item.

Ms. Bellia responded to Commission concerns that the City is not under any obligation, the intent is to participate in sharing of information and suggestions to reduce flooding.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to approve Resolution 2019-R-03. The motion carried by the following vote:

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

D. [19-0391](#) Resolution 2019-R-07 Investigation Policy of Charter Officers

Ms. Wong read Resolution 2019-R-07 by title only.

Mr. Lear gave an overview of the item.

Discussion ensued with concern for separating investigative information from employee files, placing summaries in employee files, and language in the resolution keeping an employee file clean.

Ms. Slayton explained that an investigation with findings and a recommendation would be included in the employee file.

Ms. Hope spoke to unsubstantiated investigations being maintained separately.

Discussion continued regarding clarification of "employment status" and disciplinary actions, changing language from "may" to "shall", notation of listed items not being an exhaustive list, and Commission ability to initiate and be advised of investigations regarding Charter Officers.

Mr. Lear explained there isn't a policy preventing employees from approaching the Commission with grievances and there is no plan to develop such a policy.

Discussion took place regarding employees approaching Commissioners about Charter Officers, exercising due diligence, and Commission addressing issues publicly.

Ms. Hope clarified investigation items listed are violations of Title VII regarding discrimination and require Human Resources (HR) involvement.

Discussion continued regarding minor infractions, notification to the Commission of pending investigations, and the open-door policy for City Clerk employees.

Ms. Hope noted that Human Resources is available to assist the City Clerk and City Clerk staff.

There was a consensus to change "may" to "shall", and staff to work with the City Attorney to clean up the language regarding items in addition to the seven listed.

There was a consensus to make sure the clarification of disciplinary actions is within employment status.

Discussion continued regarding the Commission directing the City Manager to initiate a HR investigation for issues brought forward by employees.

There was a consensus that after changes have been made to the resolution it will be brought back to Commission for review.

E. [19-0107](#) Ordinance No. 2018-59, providing for a policy for the utilization of public-private partnerships (P3) in procurement by amending the Code of the City of North Port, Florida, Chapter 2 - Administration, Article VIII - Procurement, Section 2-402 - Definitions, and by creating a new Section 2-420 - Public-Private Partnerships (P3); amending Appendix A - City Fee

Structure to provide for related P3 fees

Ms. Wong read Ordinance No. 2018-59 by title only.

Mr. Lear gave an overview of the item.

Ms. Slayton responded to Commission questions regarding fees, and addition of the words "substantive" and "unsolicited".

There was a consensus to add the work "substantive" to line 192.

There was a consensus to insert the word "unsolicited" after P3 on line 226.

Commissioner Carusone stepped away from the dais at 9:45 p.m.

Ms. Slayton explained outside counsel recommendation of a \$25,000 fee as referenced on line 379, the provision for termination being captures in the agreement, and the difference in Section 2-420(c)(7)(a) and (c) being a qualifying project defined by statute, and other requirements to support viability of the qualifying project.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2018-59, with the following changes: 1) on line 192 insert the word "substantive", to read "...conceptual proposal for substantive review."; 2) on line 226 insert the word "unsolicited", to read "...unsolicited P3 detailed proposal." The motion carried by the following vote:

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

Not Present: 1 - Commissioner Carusone

- F. [19-0376](#) Ordinance No. 2019-13, first reading, amending the Code of the City of North Port, Florida, Chapter 4 - Boards and Committees, Article XI - North Port Youth Council, Section 4-202 - Membership, to allow for a resident member who attends school outside the city

Commissioner Emrich stepped away from the dais at 9:51 p.m.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to read Ordinance No. 2019-13 by title only. The motion carried by the following vote:

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

Not Present: 2 - Commissioner Emrich and Commissioner Carusone

Ms. Wong read Ordinance No. 2019-13 by title only.

Ms. Slayton gave an overview of the item.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to continue Ordinance No. 2019-13 to the first morning meeting in May. The motion carried by the following vote:

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

Not Present: 2 - Commissioner Emrich and Commissioner Carusone

7. GENERAL BUSINESS:

- A. [19-0295](#) Approve the Sculpture "Roseate Spoonbill", by Donald Gialanella to be Located at the Northwest Corner of Price Boulevard and Sumter Boulevard, in the Amount not to Exceed \$10,000 - Recommended by Art Advisory Board

Mr. Lear gave an overview of the item.

Ms. Romano clarified that the sculpture is to be located on the northwest corner at Walgreen's.

Commissioner Emrich joined the meeting at 9:55 p.m.

Commissioner Carusone joined the meeting at 9:56 p.m.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to approve the sculpture "Roseate Spoonbill" by Donald Gialanella to be located at the northwest corner of Price and Sumter Boulevards near the Walgreen's, in the amount not to exceed \$10,000, using the Art Fund money. The motion carried by the following vote:

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

6. PUBLIC HEARINGS CONTINUED:

- F. [19-0376](#) Ordinance No. 2019-13, first reading, amending the Code of the City of North Port, Florida, Chapter 4 - Boards and Committees, Article XI - North Port Youth Council, Section 4-202 - Membership, to allow for a resident member who attends school outside the city

Discussion ensued regarding a suggestion to adjust the age limit provided in the ordinance.

Ms. Wong clarified there are three to four children waiting approval to be on the Board because they haven't completed the seventh grade.

Discussion took place allowing children aged 12 to 13 to participate on the Board, and changing the requirement to completion of the sixth grade or entering the seventh grade.

Ms. Slayton advised the Commission that the ordinance will not be brought back to the next meeting as the matter will need to be re-advertised.

There was a consensus to bring back the ordinance reflecting a change to Section 4.202(b) to include successfully complete sixth grade.

7. GENERAL BUSINESS CONTINUED:

- B. [19-0388](#) Economic Development - Sister City Program Update

Mr. Lear gave an overview of the item and noted staff recommendation to not pursue at this time.

Discussion ensued regarding support of staff recommendation, not acting at this time, and leaving the matter available for future review.

- C. [19-0387](#) Discussion and possible action regarding Florida League of Cities Legislative Policy Committee Appointments.

This item was removed from the Agenda.

- D. [19-0421](#) Discussion and Possible Action on Changes to City Commission Agenda Briefings

Mr. Lear provided an overview of the item.

Ms. Branco gave a presentation and spoke to informal meetings to answer questions with the Commission as a whole in lieu of individual agenda briefings, meetings being held in a workshop format in Room 244, public notice of meetings, meetings not recorded, the Clerk taking brief minutes and action notes, and the pros and cons of the proposed format.

Commissioner Carusone left the meeting at 10:04 p.m.

Discussion ensued regarding informational emails to all Commissioners to reduce redundancy and recording the informational meetings.

Commissioner Carusone joined the meeting at 10:08 p.m.

Ms. Branco explained the intent of the informal meetings and public access.

Discussion continued regarding time involved to record meetings, and additional meetings for Commissioners.

Mr. Lear clarified the intent of staff providing information simultaneously and answering Commission questions.

Discussion took place regarding audio recording, concerns expressed regarding decision making, and questions stated on the record for public benefit.

Mr. Lear explained staff resources required with individual agenda briefings, potential time saving with briefing the Commission as a whole, noted additional transparency for the public, and providing a mix of group and individual agenda briefings.

Ms. Branco suggested the group briefing on Thursdays prior to the Commission meeting.

A motion was made by Commissioner Luke, seconded by Mayor Hanks, to put in place the pre-agenda meeting for Commissioners on the Thursday before the scheduled meetings.

Commissioner Carusone expressed concerns regarding decisions being made unintentionally, discussion being vetted through questions, violating the public's right to participate, providing an appearance of impropriety, and public ability to attend day time meetings.

Commissioner Luke expressed concern with misconception of the Board and does not want to allow for a wrong perception.

Discussion continued regarding the need to reduce staff time, emailing information to all Commissioners, and individual meetings as necessary.

The motion failed by the following vote:

Yes: 1 - Mayor Hanks

No: 4 - Vice-Mayor McDowell, Commissioner Luke, Commissioner Emrich and Commissioner Carusone

Discussion continued regarding staff's responsibility to respond to Commission questions and reducing staff time for agenda briefings.

8. PUBLIC COMMENT:

Public comment was held 10:33 p.m. - 10:38 p.m.

Tim Doyle: children, felonies, too many laws, employee files.

Justin Willis: supports lowering the age requirement for the Youth Advisory Board.

Mr. Willis responded to Commission questions that previously children in the seventh grade served on the Youth Advisory Board and age was not a factor.

9. COMMISSION COMMUNICATIONS:

Ms. Wong responded to Commission questions regarding timer display for presentations and public comments.

Discussion ensued regarding presentations being allotted 15 minutes and three minutes for public comment.

Mr. Miles responded to questions that the tree ordinance will be presented in June, and classification of palm trees can be addressed.

Commissioner Luke expressed disappointment regarding Sarasota County's response to discuss the Legacy Trail, noted attending West Villages district meeting, and displayed the souvenir baseball from Imagine School.

Mr. Lear responded to questions regarding the Principal Agreement with West Villages, reviewed the provisions for police vehicles and equipment, explained the requirements for reimbursement, and noted six vehicles having been provided.

Discussion ensued regarding the obligation to provide the West Villages with five vehicles, and six vehicles with officers have been provided.

Mr. Lear explained the two parks proposed by West Villages do not qualify as the 63-acre park or the Town Center parks as described in the agreement, and staff is researching the number of permits.

Vice-Mayor McDowell reported attending the Easter egg hunt at City Hall, First Responder Night at Imagine School, and the transportation forum.

Commissioner Carusone had nothing to report.

Commissioner Emrich expressed thanks for Sarasota County's investment in the Three-Graces fountain at Warm Mineral Springs, and recognized Mr. Getz for historical information provided.

10. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [19-0377](#) City Manager - Commission Update
Mr. Lear had nothing to report.

- B. [19-0380](#) City Attorney Report - Commission-Directed Activities
Ms. Slayton had nothing to report.

- C. [19-0392](#) City Clerk/Deputy City Clerk update regarding Commission Direction
Ms. Wong had nothing to report.

11. ADJOURNMENT:

Mayor Hanks adjourned the North Port City Commission Regular Meeting at 10:53 p.m.

City of North Port, Florida

By: _____
Christopher B. Hanks, Mayor

Attest: _____
Kathryn Wong, City Clerk

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2019.