



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Special Meeting

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, Interim City Clerk

Thursday, December 5, 2019

1:00 PM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor McDowell called the meeting to order at 1:07 p.m.

ROLL CALL

Present: 4 - Mayor Debbie McDowell, Vice Mayor Jill Luke, Commissioner Vanessa Carusone and Commissioner Pete Emrich

Absent: 1 - Commissioner Christopher Hanks

Also Present:

City Manager Peter Lear, City Attorney Amber Slayton, Interim City Clerk Heather Taylor, Human Resources Manager Deborah Hope, Neighborhood Development Services Director Frank Miles, Finance Director Kimberly Ferrell, Interim Code Enforcement Manager Kevin Raducci, GIS Administrator Nita Hester, Operations & Maintenance Manager Charles Speake, Assistant Parks & Recreation Director Tricia Wisner, Police Chief Todd Garrison and Recording Secretary Ida Goodman.

The Pledge of Allegiance was led by Officer Dupree.

1. APPROVAL OF AGENDA

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve the Agenda moving item 19-1377 after Ord. No. 2019-46. The motion carried by the following vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Carusone

2. PUBLIC COMMENT:

There was no public comment.

3. WELCOME OF NEW EMPLOYEES:**A. [19-1399](#) Welcome New Employees**

Ms. Hope introduced new City employees.

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**A. [19-1362](#) Sherry Straub: Clean Water Now, The Rights of Nature Presentation**

Sherry Straub, President, Clean Water Now, introduced Joe Bonasia who provided a "Clean Water Now" presentation.

Commissioner Carusone arrived at 1:20 p.m.

Discussion ensued regarding society views on environmental issues, water resource concerns, and State legislation regarding stormwater issues.

B. [19-1512](#) Presentation from Tobacco 21

David Francis, American Heart Association, provided a presentation regarding "Tobacco 21 Policy".

Discussion ensued regarding increase in vaping, use of tobacco products in the military, enforcement of tobacco regulations and pending Ordinance, Alacha County tobacco regulations, annual tobacco related deaths, sale of tobacco products statistics, retail tobacco sales licensing, lack of e-cigarette regulations and resource to determine tobacco and e-cigarette vendors.

There was a consensus to include in the Ordinance retail licensing and possible costs which would be involved in the licensing fees.

Mayor McDowell requested a consensus to have the City Attorney remove from her scope of work the exemption for the military.

There was a consensus to add to the Legislative Priorities an E-Cigarette regulation within the State as well as a licensing format for sale of all tobacco products similar to the sale of alcohol.

C. [19-1285](#) Interim Code Enforcement Manager Kevin Raducci: Annual Code Enforcement Division Presentation

Mr. Miles introduced the item and Mr. Raducci provided the Code Enforcement Annual Report noting the involvement of the City Attorney, Fire Rescue and Police in processing Code Enforcement regulations.

Discussion ensued regarding vehicles left on condemned properties, City Manager providing an update on regulations regarding the removal of materials on condemned properties, clarification on what constitutes abandoned property and process for enforcing regulations on abandoned property.

D. [19-1419](#) Fire Chief Scott Titus: Fire Rescue Annual Presentation

Chief Titus provided a presentation including department mission, staffing, emergency services, fire prevention, administrative services, emergency management, emergency service statistics, training, emergency management, 2018-2019 accomplishments, and 2019-2020 challenges.

Recess was taken from 2:45 mp.m. to 3:01 p.m.

5. PUBLIC HEARINGS:

Ordinances: First Reading

A. [ORD. NO. 2020-01](#) An Ordinance of the City of North Port, Florida Amending Section 2-419 of the Code of the City of North Port, Florida, Relating to Disposition of City Assets and Property; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to read Ordinance No. 2020-21 by title only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Hanks

Ms. Taylor read the Ordinance by title only.

Mr. Lear provided an overview.

Ms. Slayton spoke to formatting.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich to continue Ordinance No. 2020-01 for second reading to the January 28, 2020 Commission meeting. The motion carried by the following vote:

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

Absent: 1 - Commissioner Hanks

B. [ORD. NO. 2019-46](#) An Ordinance of the City of North Port, Florida, Adopting the West Villages Village District Pattern Book for ±8000 Acres in the "Village" Future Land Use; Providing for Findings; Providing for Adoption; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to read Ordinance No. 2019-46 by title only. The motion carried by the following vote:

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

Absent: 1 - Commissioner Hanks

Ms. Taylor read the Ordinance by title only.

Mr. Lear introduced the item.

Katie LaBarr, Stantec, provided a presentation including agenda, index map, document framework, status of development, purpose for revision, regulatory framework, roadways and pathways, village center consistency with comprehensive plan, town center consistency with recently approved pattern plans, and design standards.

Jon Lizenski, Senior Vice President West villages, LLP, spoke to electronic sign requirements for the Braves Stadium at West Villages Parkway and the need to modify language on page 48 to allow for 100% electronic signage.

Ms. LaBarr continued her presentation including modifications for street trees and tree canopy and requested the ordinance be continued to second reading at an evening meeting.

Discussion followed regarding differences in old pattern book and new, review of pattern book, changes in town center and village center standards, non-residential uses, lighting, landscaping and irrigation standards, and advertisement and review by City Attorney.

Ms. Slayton spoke to conflicts between the land use regulations, VDPP, VDPB approval process and Unified Land Development Code Sec 53-219.

Discussion followed regarding holding special meetings for pattern book amendments, North Port's identity being removed from the history, lack of estimates for build-out, ULDC and planning manager authority to approve modifications.

Mr. Lizenski spoke to intent of rewrite to bring to current standards and to reflect previously approved VDPP approval and sign area not including supporting structure.

Ms. Galehouse spoke to the VDPB coming before the VDPP, conversations with applicant regarding language in the VDPP, bringing back to what is required in code, and language consistency with VDPP documents.

Mr. Lear spoke to ability to move to another meeting and the need for further information regarding commission concerns.

Discussion followed regarding availability of pattern books, going forward adding material for background and history with annexation, staff recommendation, postponing to a workshop pending approval of a post annexation agreement being approved, clarification on an annexation agreement, future agenda items regarding West Villages, signage and street light variance regulations and granting authority, and scheduling one-on-one meetings with each Commissioner prior to a workshop being scheduled.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to postpone Ordinance No. 2019-46 to a future workshop to be scheduled after January 2020 pending approval of a post annexation agreement. Commissioner Carusone withdrew her motion and Commissioner Emrich withdrew his second.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to move Ordinance No. 2019-46 to a Special Meeting to review the post annexation agreement and pattern book as the only agenda item to be scheduled after January 1, 2020. The motion carried on the following vote:

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

Absent: 1 - Commissioner Hanks

Discussion ensued regarding ULDC Chapter 29 on freestanding signs and variances.

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

Mayor McDowell recognized former Commissioners Moore and Morgan and Assistant City Manager Branco replaced City Manager Lear.

- A.** [19-1504](#) Proclamation to Commemorate the 50th Anniversary of the North Port Lions Club, Presented to Sheila Doucette, President, Ward "Brad" Bradley, Secretary, Phyllis Bradley, Treasurer and members of the North Port Lions Club.

Commission presented the proclamation.

- B.** [19-1433](#) Present Advisory Board Certificates of Appreciation to William Bowteck for serving on the Public Utility Advisory Board, Holly Loos for serving on the Beautification & Tree/Scenic Highway Committee and Colby Bowman for serving on the Citizens' Tax Oversight Committee.

Commission presented the certificates.

- C.** [19-1247](#) Recognize the City of North Port Solid Waste Division of the Department of Public Works for the Receipt of the Gold Award in Inaugural Zonar Systems' All Star Awards Program.

Commission presented the recognition.

- D.** [19-1393](#) Recognize the City Managers Office IT and Communications Divisions for Award Received from the Center for Digital Government.

Ms. Branco and Commission presented the recognition.

- E.** [19-1149](#) Recognize the North Port Finance Department for Receipt of the Distinguished Budget Presentation Award from Government Finance Officers Association (GFOA) for the Current Fiscal Period.

Ms. Ferrel spoke to the award received and Commission recognized staff for their accomplishment.

- F.** [19-1515](#) Proclaim December 7, 2019 as Gary Stouch Day

Commission presented this proclamation.

GENERAL BUSINESS**D. [19-1377](#)** Discussion and Possible Action Related to the Dedication Plaque for the North Port Aquatic Center

Ms. Branco introduced the item.

Discussion took place regarding 2009 Commission, project funding, 2010 funding not being carried over to fund a pool, FY10/11 CIP funding and expenses for 50 meter pool, having a plaque listing names of commission that approved construction in 2017 with "with gratitude we would like to recognize all previous commissions and citizens" on the bottom, resolution verbiage regarding who is listed on the plaque, construction that took place when the Morgan Center was built, and obtaining further information regarding the 4.3 million budgeted in FY 10/11.

Ms. Branco clarified Commissions request to obtain history of budgeted money related to pool with expenditures and timeline.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to continue agenda item 19-1377 to the first Commission meeting in January 2020. The motion carried by the following vote:

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

Absent: 1 - Commissioner Hanks

Recess was taken from 5:02 p.m. to 5:17 p.m.

A. [19-1296](#) Discussion and Possible Action Regarding Challenge Coins

Ms. Branco introduced the item.

Discussion followed regarding purchase price per coin, the City logo and design for a variety of coins, pricing for bulk purchase, intent of presenting a challenge coin, and charge per each template.

Mayor McDowell noted that Commissioners should work as a body and should not being able to present coins individually.

Discussion continued regarding coins possibly being presented at the time a proclamation is presented, and hierarchy of coins/awards/recognitions/proclamations and keys to the City and limiting number of coins permitted to be presented per year.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to order the two challenge coin designs provided that use "you made a difference" and "in honor of your greatness" in the larger size.

Discussion continued regarding the intent of the challenge coins, yearly limit to coins per Commissioner, funding for the coins, and ability to present coins to employees and citizens.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke to amend the main motion to include to have staff bring back the pricing and the quantity amounts associated with the pricing. The motion carried by the following vote:

Yes: 3 - Vice Mayor Luke, Commissioner Carusone and Commissioner Emrich

No: 1 - Mayor McDowell

Absent: 1 - Commissioner Hanks

The main motion as amended carried on the following vote:

Yes: 3 - Vice Mayor Luke, Commissioner Carusone and Commissioner Emrich

No: 1 - Mayor McDowell

Absent: 1 - Commissioner Hanks

B. [19-1418](#) Discussion and Possible Action Regarding City Owned Lots and Neighborhood Focal Points

Ms. Branco introduced the item and responded to Commission questions regarding escheated lots, proceeds of sales of the lots, purchasing of lots by public, process for the City to sell property and property swaps, and distinguishing between surplus and future use lots.

Discussion took place regarding ability to swap the 19 surplus properties, first right of refusal for adjacent property owners, soil testing on properties, environmental survey on current City owned land, and future uses of 180 city owned properties.

Ms. Hester reviewed the ability to review future use in the portal.

Ms. Branco spoke to donated properties, formal offers received, details on properties designated for future use and land designated for swappln along Myahatchee Creek.

Mr. Speake addressed access points into retention ditches, canals and waterways.

Discussion continued regarding staff's recommendation to keep lots for future use, value of open wooded lots, swapping Spring Haven lots, all property designated future land use, availability of directly adjacent properties for purchase if those lots are not designaedd for use by the City, designated land for swapping land offered to adjacent properties, 184 lots staff designated for use, restricting single family residential, and offering any lots aquired from this point forward that do not have a designated City use.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to approve the map presented, to allow acquiring property to add to the land bank as well as consider all properties including those 19 surplus properties as an overall land bank, to allow for a first right of refusal for those who own property that is directly adjacent to said property except for those properties being utilized by the City currently as with road and drainage access to ditches and such, to make the Cities owned parcel dashboard public and to bring back selling and swapping land process and procedure in the future for Commission approval.

Discussion ensued regarding clarification that the 19 surpus lots will be given adjacent property owners first rights and will be held for possible swap land in the future if the adjacent property owners do not respond, and Commission approval process on buying and selling property.

A motion was made by Commission Carusone, seconded Vice Mayor Luke by to amend the main motion to include only the 19 surplus property to be offered to

purchase by those adjacent property owners and any lots acquired from this point forward that do not have a designed City use for them and those that are zoned single family.

Yes: 3 - Vice Mayor Luke, Commissioner Carusone and Commissioner Emrich

No: 1 - Mayor McDowell

Absent: 1 - Commissioner Hanks

The main motion as amended carried on the following vote:

Yes: 3 - Vice Mayor Luke, Commissioner Carusone and Commissioner Emrich

No: 1 - Mayor McDowell

Absent: 1 - Commissioner Hanks

C. [19-1411](#)

Discussion and Possible Action Related to North Port Aquatic Center Competition Pool Operating Hours

Ms. Branco introduced the item.

Ms. Wisner spoke to prior and current operation hours, prior Commission directive, modified competition pool schedule options, staffing issues, and community input.

Discussion took place regarding current operation hours and attending patrons, YMCA pool patron statistics, the need for an assistant supervisor, extended after school operation hours, reduction of patrons in the colder months, longer operation hours in the warmer months and consistency in operation hours, Dallas White pool operation hours, life guard training criteria, and use per hour data.

Commissioner Carusone left at 6:44 p.m.

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to set the operating hours of the Aquatic Center Monday through Sunday, except for Wednesday, for the competition pool only from 8:30 a.m. to 5:50 p.m.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich to amend the main motion to include the proposed hours of operation taking effect on January 1, 2020 and in effect only during the winter season. The motion to amend carried on the following voter:

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

Absent: 2 - Commissioner Hanks and Commissioner Carusone

The main motion as amended carried on the following vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Carusone

8. PUBLIC COMMENT:

There was no public comment.

9. COMMISSION COMMUNICATIONS:

Commissioner Emrich did not have anything to report.

Vice Mayor Luke reported on an email regarding Mark Huey resignation from the Sarasota County Economic Development Corp. (EDC), EDC discussion regarding incentives and putting a hold on projects with the EDC for a year, and requested a consensus to draft a letter to the County Commission and County Administrator supporting the EDC. and a Resolution from Palm Beach regarding pre-empting the use of plastic bags and styrofoam products.

There was consensus to direct staff to draft a letter to the County Commission and Administrator, prior to December 10, 2019, supporting continued work of the Sarasota Economic Development Corp. through incentive programs for the benefit of North Port and economic growth.

There was a consensus to direct City Attorney to create a Resolution for Commission review to be sent to the State Legislators to stop preempting the use of plastic bags and styrofoam products.

Vice Mayor Luke continued her report regarding the email update on Legacy Trail.

Discussion took place regarding Fire Rescue and Police Department jurisdiction inconsistency's as reflected in the email.

Chief Titus clarified the justification for Fire Departments on Legacy Trail at Schewe Creek (Ranch) located off US 41 and a Memorandum of Understanding for both the City and County to serve the area in the event of a fire at the request of the Department of Forestry.

Mayor McDowell expressed concern with the Trackit implantation, reported on the Community Economic Development Advisory Board recommendations including waivers on impact fees, completing the water and sewer infrastructure at the I-75 and Sumter Boulevard area and the Economic Development Department becoming involved in the Unified Land Development Code, re-write and promoted the December 7, 2019 Poinsettia Parade and Festival.

Ms. Branco agreed to follow up on the Community Economic Development Advisory Board recommendations which were sent to the City Manager in a memorandum.

There was a consensus for the City Manager to provide timeline and monthly updates on Trackit program.

There was a consensus for the City Manager to create an agenda item for discussion regarding Commissioners sitting on Advisory Boards.

10. ADMINISTRATIVE AND LEGAL REPORTS:

There were no administrative or legal reports.

11. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 7:20 p.m.

City of North Port, Florida

By: _____
Debbie McDowell, Mayor

Attest: _____
Heather Taylor, Interim City Clerk

Minutes approved at the Commission Regular Meeting this ____ day of _____,
2020.