



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, City Clerk

Thursday, July 2, 2020

1:00 PM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor McDowell called the meeting to order at 1:20 p.m.

ROLL CALL

Present: 3 - Mayor Debbie McDowell, Vice Mayor Jill Luke and Commissioner Vanessa Carusone

Absent: 2 - Commissioner Christopher Hanks and Commissioner Pete Emrich

Also Present:

City Manager Peter Lear, City Attorney Amber Slayton, Recording Secretary Susan Hale, Administrative Services Specialist Laura Reed, Human Resource Director Christine McDade, Frank Miles, Planning Division Manager Nicole Galehouse, Planner Alison Christie, Building Official Anthony Warren, Public Works Director Julie Bellia, and Police Captain Scott King.

The Pledge of Allegiance was led by Mr. Lear.

1. APPROVAL OF AGENDA

Mayor McDowell provided a brief introduction relative to rules of decorum.

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

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

2. PUBLIC COMMENT:

David Fernstrum: a Webex meeting and emails.

Victor Dobrin: West Villages private meeting.

Jeffrey Scott: government bureaucracy, face masks.

John Meisel: opposition to land swap and ordinance to amend map Ordinance 2020-16.

Paul Kahle: West Villages private meeting.

Rick Severance: West Villages developer for new emergency services facility, alternative school sites.

3. WELCOME OF NEW EMPLOYEES:

A. [20-2353](#) Welcome New Employees

Ms. McDade introduced new employees.

4. CONSENT AGENDA:

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve the consent agenda a presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

A. [20-2253](#) Approve First Amendment to Agreement Between the City of North Port and Advanced Data Processing, Inc. for the Public Emergency Medical Transport Fee Change

This item was approved on consent.

B. [20-2362](#) Approve the Partial Assignment (Related to Fire Station No.1) of West Villages Developer Agreement (Post Annexation).

This item was approved on consent.

C. [20-2292](#) Appoint Dylan Hubbard to the North Port Youth Council as the North Port High School Representative and Aidan Hubai and Madisyn Crites as At-Large Members to Serve from June 23, 2020 to June 23, 2021

This item was approved on consent.

D. [20-2313](#) Appoint John Stevens to the Public Utility Advisory Board as a Regular Member to Serve a Term from July 2, 2020 to July 2, 2022

This item was approved on consent.

E. [20-2364](#) Appoint Verna Blaine as a Regular Member to the Environmental Advisory Board to Serve a Two-year Term from July 2, 2020 to July 2, 2022

This item was approved on consent.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [20-2331](#) Anthony Warren: Building Division Goals and Plans for Future Development

Mr. Lear introduced the item.

Mr. Miles and Mr. Warren provided an overview of the Building Division including, history of the department and City codes, functions of the Building Department, growth of Neighborhood Development Services and the Building Division, managing growth, improving the process, implementing new technologies, the "typical" age of building code professionals, community outreach, valued education beyond high school, tapping into trade schools/technical schools, and on the job internship opportunities

Mr. Lear spoke to an intern/training program slated for next year.

Discussion ensued regarding consistencies in the Building Code, United Land Development Code (ULDC) re-write as it applies to Building Codes, and communication between departments.

Mr. Warren explained the building department training program vs. State internships, obtaining required licenses, criteria outlined by the State, the role of an inspector, out of state licensing requirements, and lobbying at Tallahassee.

7. PUBLIC HEARINGS:

ORDINANCE - Second Reading

- A. [ORD. NO. 2020-24](#) An Ordinance of the City of North Port, Florida, Amending Chapter 3 of the Code of the City of North Port, Florida, and Creating Section 3-15 Regarding an Additional Homestead Exemption for Persons Sixty-Five (65) and Older with Certain Income Limits; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

Ms. Reed read the ordinance by title only.

Ms. Slayton introduced the item.

There were no questions from the Commission and there was no public comment.

Mr. Lear spoke to an education program to inform public of the option. and stated he will make sure the Sarasota County satellite office is informed.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to approve Ordinance No. 2020-24 as presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

- B.** [ORD. NO. 2020-25](#) An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to Be Placed before the Qualified Electors of the City of North Port, Florida at The November 3, 2020 General Election; Providing a Referendum Question Determining Whether to Grant the City Commission the Authority to Allow Economic Development Ad Valorem (Property) Tax Exemptions for New Businesses and Expansions to Existing Businesses; Providing Findings; Providing for the Conduct of the Referendum Election; Providing for the Form of Ballot; Providing for Notice of Election; Providing for the Supervisor of Elections to Post a Copy of this Ordinance at Each Polling Place; Providing for an Effective Date If the Referendum Question Is Approved; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Ms. Reed read the ordinance by title only.

Ms. Slayton introduced the item.

There were no questions from the Commission and there was no public comment.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve Ordinance No. 2020-25 as presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

- C.** [ORD. NO. 2020-28](#) An Ordinance of the City of North Port. Florida, Amending the Code of the City of North Port, Florida, Appendix A- City Fee Structure to Change Certain Building Fees; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

Ms. Reed read the ordinance by title only.

Ms. Lear introduced the item.

Ms. Slayton spoke to fees for sheds being removed and not being changeable at this reading.

There was no public comment.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve Ordinance No. 2020-28 as presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

- D. [ORD. NO. 2020-16](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Section 53-213.a.(2), Village Index Map; Providing for Amendments to the West Villages Index Map for Certain Portions of Village F, Village G, and Village I, Including One or More of the Following: Boundaries, Acreages, Locations of Police/Fire Stations and Utility Site, Roadway Alignments, Village Centers, Park Acreages, Potential School Sites, Hotel Site and Deleting a Local Road; Providing for Findings; Providing for Adoption; Providing for Filing of Approved Documents; Providing for Severability; Providing for Conflicts; and Providing an Effective Date (QUASI-JUDICIAL)

Ms. Reed read the ordinance by title only.

Ms. Slayton spoke to combining Ordinances No. 2020-16, 2020-14, 2020-15 and stated the applicant and City staff would need to approve any reduced time for presentation, and the Code procedures will dictate the time limits for each item.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to combine discussion on Ordinance Nos. 2020-16, 2020-14 and 2020-15 for purposes of the quasi-judicial hearing. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

Ms. Reed read Ordinance Nos. 2020-14 and 2020-15 by title only, swore in all participants wishing to provide testimony, and stated there were no aggrieved parties.

Ex parte communication was disclosed by Vice Mayor Luke as conversations regarding land swapping with the Sarasota County School Board, June 6, 2020 email from Mr. Shaughnessy provided to the City Clerk, June 9, 2020 email from Mr. Dobrin provided to the City Clerk, Jun 8 phone call with Mr. Luczynski, July 1, 2020 emails forwarded to the City Clerk, phone call with Assistant City Manager and City Manager, and a conversation with Mr. Myzell.

Commissioner Carusone disclosed previous years' conversations regarding school site and future land use, July 2, 2020 conversation with Mr. Luczynski, and emails within the last month forwarded to the City Clerk.

Mayor McDowell disclosed a site visit tour with Marty Black, numerous emails from citizens sent to the City Clerk, watched school board meeting of June 16, 2020, conversation with Assistant City Manager Yarborough, and emails forwarded to the City Clerk.

Katy LaBarr, West Villages Improvement District, being duly sworn, provided a presentation regarding index map amendment and confirmed making City-requested changes to the index map and an update to the wetland impacts to Village F.

Alison Christie, Planner, being duly sworn, confirmed all staff-requested changes were made.

Ms. LaBarr stated having no rebuttal.

Ms. Christie stated having no rebuttal.

PUBLIC COMMENT

Victor Dobrin: being duly sworn, recommended no need to build school.

Susan Mougalian: being duly sworn, the land swap.

John Meisel: being duly sworn, conveyance of property.

Nicole Galehouse, Planning Division Manager, being duly sworn, explained index map changes from town center to Village K, 60 acres going back into the town center, future land use being village allowing schools, zoning allowing for schools, town center shifting closer to U.S. 41, and not shifting the town center boundaries.

John Luczynski, Manasota Beach Ranchlands, LLC, being duly sworn, explained history of property conveyance, and school board needing land for high school.

Ms. Galehouse spoke to two original school sites and 15 acres combined with original high school site through an index map amendment.

Mr. Luczynski clarified need for school sites in near future, water/sewer lines in area, land exchange cited, contract between two land owners not West Villages, index map needing updating with the other petitions, citizen discrepancy concerns, 160 acres in Village K and moving 60 acres elsewhere, Manasota Beach Road paramount for future development, water/sewer needed at the new high school site, emails received, updated maps reflecting agreements with the City and the realignment of Manasota Beach Road, all applicable laws being followed, and the \$10 million including 60 acres.

Ms. Galehouse spoke to the City not being involved with the agreements between Manasota Beach Ranchlands and the School Board.

Mr. Luczynski spoke to school impact fee credits in the agreement, City's transportation impact fees for infrastructure, road extensions to access school property, and Manasota Beach Road to be a collector road.

Mr. Lear provided clarification regarding impact fee credits in West Villages, transportation impact fees dedicated to build River Road, and noted an impact fee study is needed.

Ms. Galehouse stated having no closing arguments.

Ms. LaBarr stated having no closing arguments.

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to approve Ordinance No. 2020-16 as presented.

Discussion ensued regarding the City not part of past agreements between the parties therefore, no reason to delay approval of an index map, and location of school not benefiting North Port.

The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

- E. [ORD. NO. 2020-14](#) An Ordinance Of the City Of North Port, Florida, Amending the Unified Land Development Code, Chapter 53, Article XVIII – V Village, Section 53-214.F.(6), Village F Village District Pattern Plan (West Villages); Amending the Boundary of Village F to Add ±8.00 Acres to the Southeast Area of the Village and Adjusting the Neighborhood Layout; Providing for Findings; Providing for Adoption; Providing for Conflicts; Providing for Severability; and Providing an Effective Date (QUASI-JUDICIAL)

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to approve Ordinance No. 2020-14 as presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

- F. [ORD. NO. 2020-15](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 53, Article XVIII – V Village, Section 53-214.F.(7), Village G Village District Pattern Plan (West Villages); Amending the Boundary of Village G to Add ±41.00 Acres to the Southwest Corner of the Village and Amending the Neighborhood Layout; Providing for Findings; Providing for Adoption; Providing for Conflicts; Providing for Severability; and Providing an Effective Date (QUASI-JUDICIAL)

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to approve Ordinance No. 2020-15 as presented. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

Recess was taken from 3:35 p.m. to 3:55 p.m.

8. GENERAL BUSINESS:

- A. [20-2058](#) Discussion and Possible Action Regarding Posting Emails to the City Website

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to postpone item 20-5058. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

Mayor McDowell spoke to the process of social distancing during proclamation presentations and recognitions due to the COVID-19 pandemic.

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

- D. [20-2377](#) Proclaim July 2020 as Parks and Recreation Month in the City of North Port; Presented to Parks and Recreation Director Sandy Pfundheller and Staff
The Commission presented this proclamation.
- E. [20-2388](#) Proclaim July 16, 2020 as North Port Graduating Class of 2020 Day
The Commission presented this proclamation.
- A. [20-1947](#) Recognize the City of North Port Department of Public Works for Receipt of the Florida Chapter of the American Public Works Association's 2019 Project of the Year Award for the Deming Stormwater Improvement Project
The Commission presented this proclamation.
- B. [20-2075](#) Recognize the 2020 Public Works Department Road-E-O Skills Competition Winners for the Operations and Maintenance Division and the Solid Waste Division
Ms. Bellia presented this recognition.
- C. [20-2077](#) Recognize the Suncoast Blood Bank
Ms. Bellia presented this recognition and recognized and Victor DiRamio's son Alex DiRamio in connection with the Blood Drive.

8. GENERAL BUSINESS continued:

- B. [20-2340](#) Discussion and Possible Action Regarding Right-of-Way Use Permits, and Fees for Sheds
Mr. Lear introduced the item.
Vice Mayor Luke provided an overview of the item.
Mr. Warren clarified information regarding the City's policy on fees for sheds, and answered questions regarding fee tiers for sheds.
Discussion took place regarding previous Commission direction.
Ms. Slayton spoke to the ordinance being written according to Commission direction.
Mr. Warren expressed concern with larger structures needing additional review.
Discussion ensued regarding permit requirements for different sizes of sheds.
Ms. Galehouse explained the permit process and costs for planning examiners' zoning inspection fee.

Discussion continued pertaining to Commission's intent in eliminating the Road and Drainage District zoning inspection fee, the trigger point for building fee structural review, reduction in building fees, and plans review/inspections for larger structures.

Ms. Bellia spoke to inspection fee covering lot grading/preparing the property.

Discussion continued clarifying the fee amount to be based on square-footage.

Ms. Slayton clarified amending the current ordinance.

Ms. Galehouse spoke to building fee for sizes being a policy/procedure not a code, differences of square-footage found in the building code.

Discussion ensued regarding the original intent of the Commission for sheds 200-feet or less, and the inaccuracies of the current proposal.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to bring back the fee schedule pertaining to sheds, permitting and inspection fees associated with sheds.

Discussion took place concerning re-evaluating the fee schedule, and addressing the convenience charge.

Ms. Slayton spoke to deciding on a policy and deciding on the vehicle afterward.

The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

A motion was made by Commissioner Carusone, to bring back an ordinance to reflect that any 121 square-foot shed up to 200 square-feet be required to have an inspection by the Building Department for right-of-way use be it constructed or not, and any shed 120 square-foot or less, not require a permit fee, permit or inspection. The motion failed for lack of a second.

Discussion ensued regarding shed regulations found in the Florida Building Code, and Commission's intent in writing.

Ms. Slayton requested Commission clarify its intent, tie it into the motion and allow staff to bring back appropriate language.

A motion was made by Commissioner Carusone, seconded by Commissioner Luke, to allow an ordinance or resolution to come back to the Commission that is based on a 120 square-foot shed to 200 square-foot shed requiring a permit and inspection by the Building Department, that anything from 120 square-foot or less would not require an inspection or plan review by the Building Department. The motion carried on the following voice vote:

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

Absent: 2 - Commissioner Hanks and Commissioner Emrich

There was a consensus to direct the Building Department, Planning and Zoning Department, and the Road and Drainage District, to bring back the procedures currently in use for any shed and delineate sizes, including what was done previously, and their work-flow charts.

9. PUBLIC COMMENT:

There was no public comment.

10. COMMISSION COMMUNICATIONS:

Vice Mayor Luke spoke to high school graduation this year, and fireworks being illegal in North Port.

Commissioner Carusone spoke to high school graduation celebration.

Mayor McDowell the COVID-19 lockdown.

Mr. Lear spoke to remaining under a State of Emergency keeps the City eligible for Federal funding and funding from Sarasota County through the Coronavirus Aid Relief and Economic Security Act (C.A.R.E.S.).

Mayor McDowell spoke to extending online public comment.

Ms. Slayton addressed needing a code amendment to change how public comment is received electronically.

There was a consensus to direct the City Manager to create an emergency order as directed by Commission, to reinstate public comment online and phone, and follow with an ordinance to allow online public comment to be heard with or without COVID-19.

11. ADMINISTRATIVE AND LEGAL REPORTS:

There were no Administrative or Legal Reports.

12. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 5:39 p.m.

City of North Port, Florida

By: _____
Debbie McDowell, Mayor

Attest: _____
Heather Taylor, City Clerk

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