



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft City Commission Special Meeting

CITY COMMISSIONERS

Debbie McDowell, Mayor

Jill Luke, Vice Mayor

Christopher Hanks, Commissioner

Pete Emrich, Commissioner

Vanessa Carusone, Commissioner

APPOINTED OFFICIALS

Jason Yarborough, Acting City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Monday, August 17, 2020

9:00 AM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor McDowell called the meeting to order at 9:00 a.m.

ROLL CALL

Mayor McDowell noted that Commissioner Carusone was attending the meeting via telephone.

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

Also Present:

Acting City Manager Jason Yarborough, City Attorney Amber Slayton, City Clerk Heather Taylor, Finance Director Kimberly Ferrell, Budget Administrator Lisa Herrmann, Public Works Director Julie Bellia, Operations & Maintenance Manager Charles Speake, Parks & Recreation Director Sandy Pfundheller, Human Resources Director Christine McDade, Police Chief Todd Garrison, Fire Chief Scott Titus, Contract Administrator II Keith Raney and Recording Secretary Ida Goodman.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Chief Garrison.

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

Valdy Olender - Organizational chart; statutes applicable to government; budget.
Jeff Scott- Millage rate.

Victor Dobrin - Concern with budget.

3. GENERAL BUSINESS:

[20-2501](#)

Discussion and Possible Action Regarding Construction of Additional Sidewalks at the Community Education Center

Mr. Yarborough introduced the item.

Ms. Bellia spoke to the item to include prior Commission discussion and direction, actions taken, Florida Building Code and American Disability Act (ADA) requirements, access points provided by construction of sidewalk, project overview, current state of parking lot and funding availability and responded to questions regarding aerial of old parking lot, link to sidewalk in from of handicap spots and looped sidewalk, intent to save trees and funding.

Ms. Ferrell responded to questions regarding contingency funding not used, Surtax funding, escheated lot portion of funding and funding remaining in Surtax to be used for Surtax items only.

Public comment:

Rochelle Monroe - Community Education Center parking lot and sidewalk connectivity.

Mr. Speake responded to questions regarding current sidewalk design, sidewalk connectivity design and design for tree preservation.

Ms. Ferrell provided further information on remaining Surtax funding and funds expended for escheated lots, current balance including outstanding invoices, review of expenditures and Surtax being the most restrictive funds usage.

Mr. Speake responded to questions regarding stop bar on the north end of parking lot, controlled intersection needed for extending sidewalk, trench between parking area and sidewalk, purpose and design of sidewalk connectivity from Pan American Boulevard and extending the sidewalk at the north end of parking lot.

Ms. Bellia spoke to time constraints to utilize the current contract.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve the addition of the extra sidewalks at the Senior Center capping the project at \$10,000.00 and using the design that would fit within that amount of money to fulfill the idea of adding to those sidewalks to the facility.

Discussion ensued regarding considering safety concerns, design within budget and user cost savings, and addressing the trench issue with no added costs.

The motion carried on the following vote:

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

There was a consensus to direct the City Manager to provide a memorandum to Commission with the breakdown of funding including when funds were expended.

A consensus was requested to direct the City Manager to have staff review the extension of the sidewalk on the south end as done on the north end and provide a memorandum of findings to the Commission.

Discussion ensued regarding including in the memorandum a cost analysis, information regarding difference of north entrance and south entrance, and possible alternative locations for ADA accessibility.

Ms. Bellia spoke to preparing an engineering opinion with potential alternatives and concern with time constraints and funding.

There was a consensus for staff to provide a memorandum talking with the engineer regarding cost and feasibility of extending the south sidewalk.

Discussion continued regarding Federal ADA compliant parking designations, City Code ADA standards, and number of available parking spaces.

There was a consensus to add to the memorandum if the City Code ADA requirements are equal to or higher than the Federal ADA standards and for staff to ensure the number of handicapped spaces meets the ADA requirements.

20-2507

Direction on Budget Adjustments for Fiscal Year 2020/21 Due to State Revenue Estimates and Changes to the Capital Improvement Program

Mr Yarborough introduced the item.

Ms. Ferrell spoke to receipt of state revenue projections, strategy to reduce general fund expenditures, anticipated fund balances, no millage rate increase, and provided credit card processing fees.

Mr. Yarborough spoke to options to fund the water and sewer extension to I-75 interchange.

Discussion ensued regarding credit card fees, other fees contributing to the general fund, building fund sources, fee amount to the general fund to date, projection for fee revenues for 2021 and fee revenue reducing the millage rate.

Ms. Slayton spoke to Florida Statue regarding credit card fees and the process for assessing.

Ms. Ferrell spoke to debit card fees versus credit card fees, time to implement changes, impact on rates and review of contract and providers.

Discussion continued regarding current allocation for credit/debit card processing, previous direction on processing fees, and convenience fee versus processing fee, and average credit card processing vendor fees.

Ms. Slayton provided further review and clarification on convenience fee versus processing fee.

Discussion continued regarding various processing vendors based on departments.

Chief Titus spoke to research for third party billing and differences between departments and securing a vendor to process credit card fees.

Discussion continued regarding determining one vendor for all credit/debit card processing fees, utility processing fees, and adding bank charges to administrative costs.

Mr. Raney spoke to finance research, upcoming demonstrations, vendor administrative and processing fees, history of processing fees, the needs for each department and

timeline for completion of research.

Ms. Ferrell clarified the fee would be added in the City wide fee structure.

Discussion ensued regarding adding the fee per department, using an average percentage for increasing fees, charging a convenience /processing fee overall, cost increase for non-credit card users, methodology for administrating convenience /processing fee, taxable processing fees, 1.85% average city wide, less if applied to all user, .96% increase would make up for the processing fee, process for implementing the proposed increase, placing on an agenda during budget hearings following research on options, possible effects on the 2020/2021 budget, process for budget amendments, timeline for implementing a fee option and budget adjustment, amending fee structure timeline, options for implementing processing fee structures, and providing a discount to cash customers.

Ms. Slayton stated that convenience fees can be added but a cash discount fee would need to be codified through two readings for an ordinance.

Discussion continued regarding adding 1% to the fee structure excluding utilities and fire to increase adding a new revenue line.

Chief Titus spoke to initiating fire processing fees after their study has concluded.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to direct staff to increase the city wide fee scheduled by 1% as a convenience fee with the exception of EMS and Utilities and to ensure it be included with the fiscal year 2020/2021 budget.

Chief Titus noted that they are researching processing fees for EMS and requested this be excluded until further information is obtained.

Ms. Ferrell spoke to the methodology for adjusting the fee structure to reflect the 1% processing fee.

Mr. Yarborough noted the effects of a budget adjustment later if needed.

Mayor McDowell noted she could not support due to cash customers paying for credit/debit card users.

Public comment:

Jeffrey Scott: Aquatic Center funding and expenditures.

Discussion continued regarding prior 1.85% increase proposal.

The motion carried on the following vote:

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

No: 1 - Mayor McDowell

Recess was taken from 11:18 a.m. to 11:30 a.m.

Mr. Yarborough spoke to the Capital Improvement Project (CIP) to develop utility infrastructure on Sumter Boulevard to I-75 and funding source.

There was a consensus to direct the City Manager to work with staff to update the

CIP project to run utilities out to I-75 along Sumter Boulevard for fiscal year 2020/2021.

Discussion ensued regarding staff vacant positions including budget analysis and positions vacant for six months or more, freeze on new hires and removing projects prior to removing staff positions.

Ms. Ferrell spoke to the need for the budget analyst reclassified for the procurement vacant position, timeline for approval to advertise position, contractor administrator position and cost difference for management position.

Mr. Yarborough spoke to not freezing positions, evaluating needs by senior management team, and recommended keeping to general fund positions.

Discussion continued regarding removing the second budget analyst position, position freeze for director/management positions, and unofficial hiring freeze.

Ms. Ferrell provided clarification on the budget analyst position reclassification as a procurement manager.

Discussion continued regarding vacant positions in purchasing.

There was a consensus to remove the budget analyst position from the finance department budget totaling approximately \$67,000.00 including benefits.

Vice Mayor Luke noted she could not support the consensus.

There was a request for a consensus to direct the City Manager to work with staff to review each department to determine what items can be cut by August 24, 2020.

Discussion continued regarding timeline for proposed cuts in staff, allowing staff to present plan and salary adjustments.

Ms. Ferrell clarified the history and methodology for salary adjustments, and total for reducing the general fund balance by 1% in anticipation of staff vacancies.

Discussion continued regarding definition of large department, adjustments at the July workshop, adjusting the millage rate, fund balance and sustainability fund balance.

Ms. Ferrell clarified past direction for reduction of staff salaries based on vacancies by department.

Discussion continued regarding fire and police staffing budget, reduction in the City Clerk Department, reduction of 1% salaries reflected in over all positions, specific target for staff reductions, reduction of the millage rate and use of the fund balance, 20% emergency reserve general fund, sustainability fund balance, effect on the millage rate, utilization of general fund, and acceptable uses of the Florida Cares Act.

There was a consensus to adjust and analyze each department's vacancy rate and salary rate reflected in the 2020/2021 budget.

Discussion ensued regarding parks event reductions and estimated savings.

Ms. Pfundheller clarified that removing operating costs for Trick or Treat at City Hall would be approximately \$12,000,00.

There was a consensus to remove \$12,000.00 funding for Trick or Treat at City Hall

for fiscal year 2020/2021.

Discussion ensued regarding freezing Commission salaries.

Ms. Slayton recommended an adjustment in Commission salaries be done by Resolution with majority vote.

Discussion continued regarding freezing all salaries, 1% reduction in merit increases and cost of living increase.

Ms. McDade recommended reviewing the merit system and best practices.

Ms. Herrmann noted that the Commission salary increase was approximately \$5,150.00.

There was a consensus to direct the City Attorney to bring back a resolution prior to October 1, 2020 to freeze Commission salary increases for Fiscal Year 2020/2021 only.

Discussion ensued regarding staff recommendations on budget cuts, priority list of cuts to put back into the budget, Florida Care Act, Hurricane Irma and other funding sources, available fund balance at 5% salary rate, available funds to ensure the millage rate, economic uncertainty fund, funding of parks maintenance, funding timeline for parks maintenance needs, parks maintenance items priority, and Commission joint meeting to discuss the parks maintenance transition.

Ms. Pfundheller noted that funding for parks maintenance equipment would have to be in place by January 1, 2021, new hires for the reservation team by May 1, 2021 and new hires for the grounds crew by June 1, 2021.

Discussion continued regarding budget amendment subsequent to defunding the parks maintenance transition, prioritize parks maintenance transition pending the Interlocal Agreement impact, 3.8312 millage rate, break down of salary and equipment for park maintenance transition, and using sustainability fund for staff in June if needed and surtax for equipment.

A consensus was requested to reduce the parks interlocal impact by \$464,670.00 or whatever it is that the impact to the general fund may be along with all the other recommendations by Commission today utilizing the economic stability fund balance to make up the difference to bring the millage rate to 3.8312.

There was a consensus to defund the salary and expenses related to the parks transition in the general fund.

Discussion ensued regarding travel and training expenses, cut in travel throughout departments, and reduced miscellaneous accounts.

A consensus was requested for the Acting City Manager to have department review their miscellaneous items that could be cut from the budget.

Discussion ensued regarding criteria for miscellaneous expenses, expenditure budget proposal reductions, reduction impacts to level of service, and review of cut miscellaneous items.

There was a consensus for the Acting City Manager to have departments review their miscellaneous items that could be cut from the budget.

Discussion continued regarding projected Surtax fund balance, aging infrastructure issues, intention of Surtax funding for one time expenditures, determining CIP projects

which can be cut or postponed, no minimum amount required in Surtax fund balance, amount left in Surtax with funding proposed projects, funding and plan for major emergency infrastructure issues, and Road & Drainage fund balance.

A consensus was requested to cut or postpone the following CIP projects: Morgan Center acoustics, Butler Park marquee sign, Kirk Park playground equipment, Lebreia Park restroom, other park amenities and Woodhaven pedestrian bridge.

Recess was taken from 2:00 p.m. to 2:10 p.m.

Discussion continued regarding expenditure list of staff recommendations, staff to determine what can be cut from expenditures which will not impact the level of service, department input previously provided, priority list for current and future funding,

Mr. Yarborough spoke to the timeline for budget adjustments.

Discussion ensued regarding economic stability fund balance, recommended budget reductions, millage rate target of 3.8240, public notice requirements, methodology for possible re-instatement or removal of CIP projects and backup material for the September 3, 2020 Commission Meeting.

Mr. Yarborough clarified the Commission direction of targeted millage rate of 3.8240.

Commissioner Carusone provided a summary of Commission budget recommendations including convenience fee charges, vacancy salary adjustment, Commission salary freeze, removal of the budget analyst position, removing the park event Trick or Treat at City Hall, and removal of the general fund impact from the interlocal park agreement.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to direct staff to come back by department revealing the suggested defunded and adjusted expenditures on the paper to determine what should be kept in and what can be removed without impacting the level of service and that those adjustments that can be removed should be removed in the proposed budget.

Discussion ensued regarding taking away versus adding in, leaving items in and removing needed cuts during first meeting in September, adding back in all the items on the list that have been removed, ability to make accurate changes between first and second reading, obtaining 3.8240 millage rate, and process for staff recommended cuts.

The motion carried on the following vote:

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

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to adjust the budget in the direction given by the consensus for the following topics: convenience of fee changes; vacancy salary adjustments; Commission salary freeze; removal of budget manager analyst position; removal of the Trick or Treat at City Hall event from parks; and removing the general fund impacts from the interlocal park takeover with the goal of reaching 3.8240 millage rate. The motion carried as follows:

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

Discussion followed regarding fund balance designated for economic stability and updated list of recommended expenditure cuts.

Mr. Yarborough noted that he would provide the Commission a revised fund balance sheet.

4. PUBLIC COMMENT:

There was no public comment.

5. COMMISSION COMMUNICATIONS:

Discussion took place regarding update on Unified Land Development Code (ULDC) to include funding issues.

Mr. Yarborough will prepare a memorandum regarding status of ULDC including estimated time for completion.

Commissioner Carusone spoke to the City Manager investigation and requested consensus to complete the investigation by August 25, 2020.

Ms. Slayton spoke to investigation update including scope of investigation, estimated completion date provided by investigator, scheduled interviews, and tentative completion in September.

A motion was made by Commission Carusone, seconded by Commissioner Emrich, to have the results of the investigation to the Commission within the first week of September in a Special Meeting to be determined later.

Discussion ensued regarding clarification on the report being provided for review and discussion at a later meeting.

Commissioner Carusone withdrew her motion, Commissioner Emrich withdrew his second.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to have the findings of the investigation on City Manager Lear given to the Commission no later than September 4, 2020.

Vice Mayor Luke noted she could not support the motion due to the investigation needing to be handled without undue pressure and the need to be thorough.

Mayor McDowell noted she could not support the motion due to the investigation being within the time frame provided and ensuring the investigation is complete and thorough.

Discussion continued regarding the investigation being completed "expeditiously" and deadlines for the investigation.

The motion carried on the following vote:

Yes: 3 - Commissioner Hanks, Commissioner Carusone and Commissioner Emrich

No: 2 - Mayor McDowell and Vice Mayor Luke

Mayor McDowell spoke to direction to bring back revenue sources in October or November and if staff is unable to do this prior to December, leave for January as previously directed.

6. ADMINISTRATIVE AND LEGAL REPORTS:

City Manager noted that North Port was #1 in the Mayors Challenge.

7. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 2:58 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.