



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft City Commission Regular 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

Tuesday, June 23, 2020

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor McDowell called the meeting to order at 6:19 p.m.

ROLL CALL

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

Also Present:

City Manager Peter Lear, City Attorney Amber Slayton, City Clerk Heather Taylor, Planning Division Manager Nicole Galehouse, and Police Chief Todd Garrison.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Ms. Bellia.

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

Recess was taken from 6:22 p.m. until 6:55 p.m.

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

There was no public comment.

3. ANNOUNCEMENTS

- A. [20-2348](#) Current and Upcoming Advisory Board Expiration Dates

Ms. Taylor read the announcements into the record.

4. CONSENT AGENDA:

Mr. Lear noted no items were requested to be pulled for discussion.

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

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

- A. [20-2238](#) Approve the Lease Agreement with the Loveland Center for Suite A and Suite C at the Family Service Center

This item was approved on consent.

- B. [20-2271](#) Approve 2020 Suncoast Reading Challenge Memorandum of Understanding between the Patterson Foundation and the City of North Port to Support the Suncoast Campaign for Grade-Level Reading within Summer Camp

This item was approved on consent.

- C. [20-2274](#) Approve Microsoft Office 365 License Renewal in the Amount of \$157,900.08, Between the City of North Port and SHI International Corp. Plus an Approval of up to \$50,000 to Complete the Remaining City Projects in FY 2020.

This item was approved on consent.

- D. [20-2261](#) Disposition of Surplus Assets in an Appropriate Fashion Pursuant to Chapter 2 Administration, Article VIII Procurement, Section 2-419, Disposition of City Assets and Property (d), (1) of the Code of the City of North Port, Florida.

This item was approved on consent.

- E. [20-2265](#) Cash Receipts Summary Report for April 2020

This item was approved on consent.

- F. [20-2293](#) Appoint Chris Sterner as a Regular Member to the Historic and Cultural Advisory Board to Serve a Two-year Term from June 23, 2020 to June 23, 2022.

This item was approved on consent.

- G. [20-2349](#) Approval of Minutes for the June 4, 2020 Commission Special Meeting and June 9, 2020 Commission Regular Meeting.

This item was approved on consent.

5. PUBLIC HEARINGS:

ORDINANCE - Second Reading:

- A. [ORD. NO. 2020-22](#) 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 Charter Referendum Question Determining Whether to Amend the City Charter to Remove the Designation of the Deputy City Clerk as a Charter Officer; Providing for the Full Text of the Proposed Charter Amendment; Providing Findings; Providing for an Effective Date if the Proposed Charter Amendment Is Approved; Providing for the Filing of the Ordinance with The Sarasota County Supervisor of Elections; Providing for Publication of the Text of the Proposed Charter Amendment; Providing for Filing with the Florida Department of State if the Proposed Charter Amendment Is Approved; Providing for Conflicts; Providing for Severability; And Providing an Effective Date

Ms. Taylor read the ordinance by title only.

Ms. Slayton introduced the item.

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

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve Ordinance No. 2020-22 as presented. The motion carried by the following voice vote:

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

ORDINANCE - First Reading:

- B. [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

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to read the ordinance by title only. The motion carried by the following voice vote:

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

Ms. Taylor read the ordinance by title only.

Ms. Slayton introduced the item.

Discussion took place regarding the second whereas clause language referencing criteria and possibly adding "set forth in Florida State Statutes".

There was no public comment.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to continue Ordinance No. 2020-24 to second reading on July 2, 2020. The motion carried by the following voice vote:

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

C. [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

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to read the ordinance by title only. The motion carried by the following voice vote:

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

Ms. Taylor read the ordinance by title only.

Ms. Slayton introduced the item.

Mr. Lear spoke to the exemptions not being utilized previously, stated they may be in the future, and provided information regarding requirements to qualify for incentive.

Discussion took place regarding requirement to meet criteria and Commission approval, criteria previously established, and future review of the criteria.

There was no public comment.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to continue Ordinance No. 2020-25 to second reading on July 2, 2020. The motion carried by the following voice vote:

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

D. [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

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to read the ordinance by title only. The motion carried by the following voice vote:

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

Ms. Taylor read the ordinance by title only.

Mr. Lear introduce the item.

Discussion took place regarding the use of the word "permanent", and Commission direction for the City Manager to execute an emergency order.

There was no public comment.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to continue Ordinance No. 2020-28 to second reading on July 2, 2020 amending the whereas clause to memorialize direction from Commission to the City Manager. The motion carried by the following voice vote:

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

RESOLUTIONS:

E. [RES. NO. 2020-R-04](#) A Resolution of the City of North Port, Florida, Adopting a Policy and Procedures for the Distribution of Promotional Items; Providing for Conflicts; Providing for Severability; and Providing for an Effective Date

Ms. Taylor read the resolution by title only and introduced the item.

Discussion took place regarding distribution by a non-profit designee at a non-City sponsored event.

Ms. Slayton spoke to elected officials distributing items, and departments ability to distribute to non-profits.

Discussion continued regarding other policies.

There was no public comment.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve Resolution No. 2020-R-04 as presented. The motion carried by the following voice vote:

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

6. GENERAL BUSINESS:**A. [20-2264](#) Discussion and Possible Action Regarding Changes to the Quasi-Judicial Procedure**

Ms. Slayton introduced the item, recommending annual training for Commission and allowing the City Attorney to review section for aggrieved parties.

Discussion took place regarding training, Robert's Rules of Order training, availability of videos for quasi-judicial boards, training after election, Sarasota County quasi-judicial procedure, and design of flowchart.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to direct staff to come up with training program for quasi-judicial process for the City Commission to attend on an annual basis after elections as well as to define criteria for aggrieved parties.

A motion was made by Commissioner Carusone, seconded by Vice Mayor Luke, to amend the motion to add resource list of videos and reference materials to quasi-judicial process into the Commission handbook. The motion to amend carried by the following voice vote:

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

Discussion took place regarding the uncertainty of elections always taking place in November, training for new Commissioners, State Attorney General's Conference classes on Sunshine Law, public records, and quasi-judicial procedures.

The main motion as amended carried by the following voice vote:

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

B. [20-2303](#) Discussion and Possible Action Regarding the Process and Flow of Agenda Items Through the Planning and Zoning Advisory Board to the City Commission.

Vice Mayor Luke introduced the item for discussion.

Mr. Lear spoke to accuracy of content between the Planning and Zoning Advisory Board (PZAB) hearings and Commission.

Ms. Galehouse addressed the process of agenda content from PZAB to Commission, and providing supplemental information in the legislative text or as attachments.

Discussion took place regarding an after action report in Commission back up documentation, motion templates, and notices required to be advertised by one department

There was a consensus to have Clerk's Office provide an after action report from PZAB meeting in backup.

Mr. Lear continued with discussion points on ways to centralize the notification process creating a mechanism to provide checks and balances and accountability for tasks, and developing a record detailing the completion of the various actions/steps that are completed through the process with verification of each step.

Ms. Galehouse spoke to Monday.com software, implementation process for PZAB and Commission, viewable access by departments, and responded to questions regarding legal notices for second reading being attached to backup material and annotated in text.

Ms. Slayton spoke to public notice evidence pertaining to hearings.

Discussion followed regarding neighborhood meeting notice requirements.

Ms. Slayton spoke to staff being a party in quasi-judicial proceedings.

Discussion took place regarding accountability of legal advertisements.

Ms. Slayton spoke to responsibility of legal notices.

Ms. Galehouse addressed Planning Department issuing notices, and City Clerk's signature required.

Mr. Lear continued with discussion points of whether staff should be making recommendations on items or simply providing options for consideration.

Ms. Slayton spoke to staff being a party in quasi-judicial proceedings, their right to advocate, and right of appeal.

Mr. Lear responded to questions regarding information provided in the staff report, and stated the final discussion point concerning the method to convey the involvement of the PZAB within an Ordinance or Resolution versus mention in the legislative text of the agenda item staff summary.

Discussion took place regarding consistency in backup information.

Ms. Slayton stated it is not legally required to have PZAB recommendations in ordinances/resolutions.

A consensus was requested but not obtained to have the PZAB recommendation included in ordinance or resolution for approval.

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

Commissioner Emrich had nothing to report.

Commissioner Carusone had nothing to report.

Commissioner Hanks had nothing to report.

Vice Mayor Luke spoke to City-owned property on U.S. 41 and Sumter Boulevard and allowing food trucks on the site.

Discussion ensued regarding creating an agenda item for food truck locations.

Mr. Lear noted that the Ordinance is being reviewed due to state law changes, and a map

of allowed areas with City-owned lots to be included in backup.

Mayor McDowell had nothing to report.

9. ADMINISTRATIVE AND LEGAL REPORTS:

A. [20-2302](#) City Manager - Commission Update

Mr. Lear had nothing to report.

B. [20-2347](#) City Attorney Report

Ms. Slayton had nothing to report.

C. [20-2358](#) City Clerk Report

Ms. Taylor had nothing to report.

10. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 8:40 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.