



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

Pete Emrich, Commissioner

Vanessa Carusone, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Tuesday, November 10, 2020

10:00 AM

City Commission Chambers

CALL TO ORDER

Vice Mayor Luke called the meeting to order at 10:02 a.m.

ROLL CALL

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

Also Present:

City Manager Pete Lear; City Attorney Amber Slayton, Assistant City Attorney Michael Golen; City Clerk Heather Taylor; Recording Secretary Ida Goodman; Police Chief Todd Garrison; Planning Division Manager Nicole Galehouse; Public Works Director Julie Bellia; Structure and Facilities Operations and Maintenance Manager Chuck Speake; Finance Director Kimberly Ferrell; and Parks and Recreation Director Sandy Pfundheller.

Ms. Slayton noted that due to medical circumstances Mayor McDowell is attending virtually and with the other three Commissioners present there is a quorum.

Vice Mayor Luke recognized the attendance of former Commissioners Hanks and Morgan.

The Pledge of Allegiance was led by Commissioner Carusone.

1. APPROVAL OF AGENDA

Vice Mayor Luke requested to move Ordinance No. 2020-41 and Item No. 20-2882 after Announcements and Resolution No. 2020-R-38 and Ordinance No. 2022-44 after the Consent Agenda.

Mayor McDowell announced that she had been exposed to COVID-19, is in quarantine and will try to attend Saturday's meeting.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to approve the agenda, moving Ordinance No. 2020-41 and Item No. 20-2882 after Announcements and Resolution No. 2020-R-38 and Ordinance No.

2022-44 after the Consent Agenda. The motion carried by the following vote:

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

2. PUBLIC COMMENT:

Joan Morgan - Commissioner Carusone's accomplishments.

Ms. Taylor read the following public comment into the record:

Conni Brunni - Constitutional Bill of Rights and the right to speech.

3. ANNOUNCEMENTS

- A. [20-2879](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees

Ms. Taylor read the announcements into the record.

5. PUBLIC HEARINGS:

- C. [ORD. NO. 2020-41](#) An Ordinance of the City of North Port, Florida Supplementing Ordinance No. 92-30, as Previously Amended and Supplemented, which Ordinance No. 92-30, Among Other Things, Authorizes the Issuance From Time to Time of City of North Port, Florida Utility System Revenue Bonds; Authorizing the Issuance by the City of not Exceeding \$16,500,000 Principal Amount of a City of North Port, Florida Utility System Revenue Bond, Series 2020 In Order to Refinance all the City's Outstanding Loans with the Florida Department Of Environmental Protection in Order to Achieve Debt Service Savings; Providing Parameters for Certain Terms and Details of Such Bond and Authorizing the Negotiated Sales of Said Bond to TD Bank, N.A. Pursuant to its Proposal and in Accordance with Such Parameters; Delegating Certain Authority to the City Manager and Other Officers of the City for the Authorization, Execution, and Delivery of the Series 2020 Bond and Various Other Documents with Respect Thereto; Providing Certain Other Provisions with Respect to such Series 2020 Bond; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Ms. Taylor read the Ordinance by title only.

Mr. Lear introduced the item.

There was no public comment.

A motion was made by Mayor McDowell, seconded by Commissioner Carusone, to approve Ordinance No. 2020-41 as presented. The motion carried by the following vote:

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

6. GENERAL BUSINESS:**E. [20-2882](#) Discussion and Possible Action Regarding Request for Assistance from McDowell Housing Partners for Arbor Park Affordable Housing Development**

Mr. Lear introduced the item.

Mayor McDowell noted that she has no relation to the entity.

Ms. Galehouse introduced Danny Lopez who provided a presentation including a company overview.

Christopher Shear, Chief Operations Officer McDowell Housing Partners, responded to question regarding income level for qualification and utility allowance, housing quality, and 55 plus community restrictions.

Mr. Lopez continued with a history of McDowell companies, Arbor Park's location in North Port, size and estimated demographic, elevations, local government contribution options, completion timeline, quality design and sustainability, contact information, the Area Median Income (AMI) and requirements, the AMI proposed rental fees for the units, the spectrum of future tenants, typical rental fees for units, and income requirements.

Ms. Galehouse spoke to Palm Port Developers' receiving a \$50,000 match from the City for a site across the street from the proposed project.

Mr. Lear agreed to send a memo regarding how the \$50,000 was applied to the Palm Port Apartments project.

Mr. Shear responded to questions regarding grant funding sources for the Palm Port project.

Mr. Lopez spoke to the Housing and Urban Development (HUD) publishing the AMI requirements annually, and tenancy assured if income increases above the requirements.

Ms. Galehouse spoke to allowable rental units in Activity Center 5, density criteria, and the 55 and over head of household requirement.

Mr. Lopez spoke to American Disability Act (ADA) compliance requirements, number of units available for impaired residents, income requirements restated, grant application requirement in order to build, options for local government contribution, restrictions for the impact fee waivers, timeline for local government contribution, funding from the Florida Affording Housing grant application and State approval dependent on local government funding.

Mr. Lear clarified the requirements for a motion and timeline of funding.

Discussion ensued regarding the need for affordable 55 plus housing and ADA accessibility.

There was no public comment.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to provide a \$50,000 match to the McDowell Housing Partners project for

Arbor Park Affordable Housing Development following the acceptance and approval of the Florida Housing Finance Corporation. The motion carried by the following vote:

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

4. CONSENT AGENDA:

Mr. Lear noted items to be pulled for discussion.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to approve the Consent Agenda, pulling Item Nos. 20-2812 and 20-2888 for discussion. The motion carried by the following vote:

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

- A.** [20-2782](#) Approve the Sole Source Purchase from Parkson Corporation of Two (2) Replacement Bar Screens for the Headworks at the Pan American Wastewater Treatment Plant for a Total of \$305,815.00

This item was approved on consent.

- B.** [20-2789](#) Accept Cash Receipts Summary Report for September 2020

This item was approved on consent.

- C.** [20-2790](#) Approve the Utilization of Mote Marine Laboratory for the Hydrobiological Monitoring Program Triennial Report for an Additional Cost of \$35,000.00, for a Total Encumbrance of \$134,972.00 for Fiscal Year 2021

This item was approved on consent.

- D.** [20-2797](#) Approve Amendment No. 2 to Contract 2020-38 with Zep Construction, Inc. in the Amount of \$19,015.00 for the Myakkahatchee Creek Water Treatment Plant (MCWTP) Structural Rehabilitation Project Phase 1 - Flocculation Tank No. 1 Repairs, for a Total Project Cost of \$182,245.18

This item was approved on consent.

- E.** [20-2812](#) Approve Plan for Decommissioning and Removing the Fountain at Veteran's Park

Mr. Lear introduced the item.

Ms. Bellia responded to questions regarding ownership and history of the fountain.

Mr. Speake replied to questions regarding existing ground cover and additional funding for landscaping.

Discussion ensued regarding staff proposed improvements upon removing the fountain, and utilizing the Tree Fund.

There was no public comment.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to decommission the fountain at Veteran's Park. The motion carried by the following vote:

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

- F.** [20-2831](#) Approve Sole Source (as the City Standard) Purchase of Nine New LifePak 15 Version 4 Cardiac Monitor Defibrillators and Related Accessories from Stryker Corporation in the Amount of \$169,997.04

This item was approved on consent.

- G.** [20-2857](#) Approve the Florida Forest Service Cooperative Equipment Loan Agreement

This item was approved on consent.

- H.** [20-2880](#) Approve Minutes for the October 13, 2020 Commission Regular Meeting, and October 13, 2020 Commission Joint Meeting with Art Advisory Board

This item was approved on consent.

- I.** [20-2888](#) Approve the Presentation of a Key to the City to Commissioner Carusone at the November 14, 2020 Special Meeting

Mr. Lear introduced the item.

Mayor McDowell spoke to Key to the City policy regarding presentation at recognition meetings, and concern with this Commission voting on it.

Commissioner Carusone noted that she submitted a Form 8B to abstain due to a conflict of interest.

Discussion ensued regarding waiving the policy to present the Key on November 11, 2020 at the Special Meeting, and Commission Policy No. 2020-02 pertaining to presenting a Key to the City.

PUBLIC COMMENT:

Chris Hanks - Key to the City for Commissioner Carusone and her accomplishments.

Joan Morgan - Support of removing fountain and support of approving this item.

Ms. Taylor read the following public comment into the record:

Conni Bruni - Procedure for Key to the City for Commissioner Carusone.

Ms. Slayton spoke to prior Commission discussion noting no Sunshine Law violations, and the procedure for presenting a Key to the City was followed.

A motion was made by Mayor McDowell, seconded by Commissioner Emrich, to approve the presentation of a Key to the City to Commissioner Carusone at the November 14, 2020 Special Meeting or whenever the canvassing of elections takes place. The motion carried by the following vote:

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

Abstain: 1 - Commissioner Carusone

Commissioner Carusone thanked Commissioner Hanks for submitting the Key to the City recognition and the support of Joan Morgan and Mayor McDowell.

- J. [20-2832](#) Appoint Victor Boyd as a Regular Member on the Parks & Recreation Advisory Board to Serve a Two-Year Term from November 10, 2020 to November 10, 2022

This item was approved on consent.

- K. [20-2805](#) Appoint Tony Kelly as an Alternate I Member to the Art Advisory Board, to Serve a Term from November 10, 2020 to November 10, 2022

This item was approved on consent.

5. PUBLIC HEARINGS continued:

RESOLUTION - Second Reading

- H. [RES NO 2020-R-38](#) A Resolution of the City Commission of the City of North Port, Florida, Designating a Brownfield Area for Rehabilitation and Redevelopment to be Known as the "Sabal Trace Redevelopment Area" Pursuant to Section 376.80, Florida Statutes; Enabling the Environmental Rehabilitation and Economic Development of +/- 207.0 Acres Located at 5456 Greenwood Avenue within the City of North Port, Florida; Providing for Notice; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Ms. Taylor read the resolution by title only.

Mr. Lear introduced the item.

Attorney Bailey, for the applicant, submitted a PowerPoint and transcript into the record of the public workshop that was introduced at the last meeting.

Peter Van Buskirk, for the applicant, responded to questions regarding ground water and soil sampling locations, mitigating the contaminated soil levels prior to development, and Environmental Protection Agency (EPA) oversight, process and criteria for soil sampling.

Ms. Bellia addressed responsibility for reviewing inspection reports.

There was no public comment.

A motion was made by Mayor McDowell, seconded by Commissioner Carusone, to approve Resolution No. 2020-R-38, as presented. The motion carried by the following vote:

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

Recess was taken from 11:42 a.m. to 11:55 a.m.

ORDINANCE - Second Reading

- G. [ORD. NO. 2020-44](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, by Amending Chapter 74, Article VI, Related to Golf Carts and Low Speed Vehicles; Providing for Adoption; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to read the Ordinance by title only. The motion carried by the following vote:

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

Ms. Taylor read the ordinance by title only.

Ms. Slayton introduced the item, noting legislative limitations, and input from Police Department and Public Works.

Deputy Chief Morales spoke to current low speed vehicle (LSV) regulations, and golf carts operating on public roadways.

Ms. Slayton clarified current City Code parameters for golf carts within the City and Commission direction to only allow carts on golf courses.

Deputy Chief Morales continued stating problematic situations if multi-path usage not allowed, and communications received from West Village citizens.

Mr. Golen spoke to applying the Personal Transportation Vehicle (PTV) regulations to LSV regulations.

Ms. Bellia spoke to no combined usage on multi-modal trails within the West Villages area without a physical barrier, and 8-foot sidewalks in West Villages.

PUBLIC COMMENT:

Richard Cuccui - Merging LSVs, PTVs and golf carts; State/Federal Legislation.

Discussion ensued regarding the proposed ordinance complying with State Statutes, Florida Department of Transportation (FDOT) width and clearance requirements, Florida Statutes addressing golf cart operations and sidewalk width requirements, multi-modal path speed limits, liability issues with speed bumps, plan for creating areas to allow multi-modal paths, types of vehicles and criteria for use of paths, speed ability of LSV golf carts, and criteria for LSVs vs golf carts.

Ms. Slayton spoke to golf carts not being allowed anywhere unless it is added to City Code, and LSVs using roadways unless prohibited roads are designated.

Discussion continued regarding State and Federal regulations for LSVs on the roadway, criteria for LSV's being permitted to use multi-modal paths to be included in the ordinance, current use of Sumter Boulevard sidewalks, LSV permitted on streets with speed limits of 35 MPH or lower, no prevailing criteria in the Unified Land Development Code (ULDC) for the construction of multi-use paths; design standards for multi-use trails, adding insurance and registration for LSVs to the definition on line 63, and making

ordinance requirements understandable.

Ms. Slayton addressed best drafting practices not restating State Statutes due to changing laws.

Discussion continued concerning roadway golf cart use regulations, current City Code regarding use of golf carts on roadways, potential list of roads where LSVs would not be allowed, Lakeside Plantation traffic enforcement agreement with the City, traffic enforcement ordinance for Holiday Park, an education campaign regarding new regulations, and criteria needed for multi-use paths.

A motion was made by Mayor McDowell, seconded by Commissioner Emrich, to continue Ordinance No. 2020-44 to second reading with a date to be decided, removing lines 121 and 122 regarding multi-use paths, and creating a subsection on line 85 adding Lakeside Plantation and Holiday Park.

Discussion ensued regarding West Villages, to include concerns regarding allowing golf cart on roadways, traffic enforcement agreement, and obtaining more information from FDOT.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to amend the motion to include West Villages within the designated City roadways allowing golf carts. The motion to amend carried by the following vote:

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

The main motion as amended carried by the following vote:

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

Discussion ensued regarding City-enforced traffic West Villages roadways and Wellen Park, current regulations and proposed requirements, and multi-modal sidewalks.

There was a consensus for staff to provide information pertaining to the impact on Wellen Park.

Recess was taken from 1:22 p.m. -- 2:23 p.m.

A. [ORD. NO. 2020-23](#)

An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida to Establish a Buy American Preference, by Amending Section 2-402 – Definitions and Creating Section 2-421 – Buy American Preference; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

Ms. Taylor read the ordinance by title only.

Ms. Slayton introduced the item.

Mr. Lear spoke to research and ordinances in other areas.

Ms. Ferrell noted the recommendation from the Finance Department.

There was no public comment.

Discussion ensued regarding local preferences and procurement criteria, establishing solicitation preferences, City of Sarasota solicitation process, focusing on buying

American, local solicitation preference criteria, criteria for going outside local preference, determining local manufactured products, setting a percentage for American manufactured products, Sarasota County's draft Buy American policy, and wording of lines 78 through 92.

Commissioner Carusone articulated concerns that the City of Sarasota's policy is lacking commitment and prefers the language as written in Sarasota County's policy especially the percentage reference.

Ms. Slayton spoke to striking the definitions in Section 2-402 Definitions.

A motion was made by Mayor McDowell, seconded by Commissioner Emrich, to approve Ordinance No. 2020-23 with the following changes: delete Section 2-402 Definitions in its entirety, remove the word "preference" from the title in line 78, delete lines 80 through 92 and substitute the language from the City of Sarasota provided in the backup material: "The City of Sarasota is committed to the procurement of products and services that are produced or manufactured in America. We encourage all contractor/vendors to buy American made materials and products". The motion carried by the following vote:

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

No: 1 - Commissioner Carusone

Commissioner Carusone dissented due to reasons stated.

B. [ORD. NO. 2020-27](#)

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, Fire, Police, Parks and Recreation, Facility Rental, Solid Waste, and Road and Drainage Fees; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

Ms. Taylor read the ordinance by title only.

Mr. Lear introduced the item.

Discussion ensued regarding changes to the facility rental fees, options A and B, fee increases reflecting the credit card fees, other chargeable options, fair charges for credit cards and cash, and calculation of average credit card fees.

Ms. Slayton clarified the ordinance is a second reading with a possible third reading, the title block does not include the Development Review fees or Utilities fees, and the agenda title in Legistar does not reflect the title block drafted for second reading.

Discussion continued regarding charges of credit card fees based on departmental needs, unfairness of charging the same fees to non-users of credit cards as are charged to credit card users, imposing a flat convenience fee vs. across the board 1% fee increase, and researching legal criteria.

There was no public comment.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to continue Ordinance No. 2020-27, to the November 24, 2020 meeting for approval, removing all reference to the Special Event permit fees, and revenues of such associated.

Following clarification that any requested changed in the Ordinance and backup material must be included in the motion, the motion and second were withdrawn.

Discussion ensued regarding waiving fees for special events, necessary department fees charged for certain special events, and requested changes to the contents of Appendix A, the Fee Schedule.

A motion was made by Mayor McDowell, seconded by Commissioner Emrich, to continue Ordinance No. 2020-27 for a second/third reading at a date to be determined by staff, including version A, the version B and a version C which charges the user of the credit card a percent based on the departmental charges. Also, that a convenience fee/credit card fee/processing fee be legally reviewed for accuracy and limitations. The motion carried by the following vote:

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

D. [ORD. NO. 2020-47](#)

An Ordinance of the City of North Port, Florida, Renaming the Neighborhood Development Services Department to Building and Code Enforcement Services and the Activation of the Department of Development & Environmental Affairs; Providing for Conflicts; Providing for Severability; Providing for an Effective Date

Ms. Taylor read the ordinance by title only.

Mr. Lear introduced the item noting that this requires a unanimous vote.

Discussion ensued regarding discussion that took place at the last meeting.

PUBLIC COMMENT:

Ms. Taylor read the following public comment into the record:

Conni Brunni - City Manager and process for re-organization of Neighborhood Development Services.

Discussion ensued regarding public comment being abusive, history of the re-organization of the Neighborhood Development Services and combining of departments, and how to proceed if the Ordinance fails.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to approve Ordinance No. 2020-47 as presented. The motion failed by the following vote:

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

No: 1 - Mayor McDowell

Mayor McDowell opposed the motion noting a new City Manager should decide on how to run his department.

Discussion ensued regarding addressing this item prior to a new City Manager, and this being a Commission decision.

ORDINANCE - First Reading

- E. [ORD. NO. 2020-46](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2019-20 by Transferring \$1,073,612 from the Road Reconstruction Fund Balance, Transferring \$2,208,870 from the Road Reconstruction Bond Debt Service Fund Balance; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

A motion was made by Mayor McDowell, seconded by Commissioner Emrich, to read the Ordinance by title only. The motion carried by the following vote:

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

Ms. Taylor read the ordinance by title only.

Mr. Lear introduced the item.

There was no public comment.

A motion was made by Mayor McDowell, seconded by Commissioner Carusone, to continue Ordinance No. 2020-46 to second reading on November 24, 2020. The motion carried by the following vote:

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

Recess was held from 3:49 p.m. to 4:09 p.m.

- F. [ORD. NO. 2020-43](#) An Ordinance of the City of North Port, Florida, Amending Section 2-24 of the Code of the City of North Port, Florida, Related to City Commissioner Expenses and Supplies; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to read the Ordinance by title only. The motion carried by the following vote:

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

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

Mr. Lear spoke to the Commission travel budget requiring pre-approval to ensure funds are budgeted, previous Commission direction regarding supplies, determining whether a travel policy fits with the resolution along with supplies, adding a budgetary reimbursement process for travel in Section A, and criteria for Commission approval for travel.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Carusone, to continue Ordinance No. 2020-43 for second reading to a date to be determined with the following changes: removing Section 2.24 in its entirety including the travel section and when the resolution is brought back for

Commission discussion and approval, to include the language clean-up on item A.1. (line 36) and also to put language regarding overages to Commission travel budget reimbursements.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to amend the motion, that the resolution shall include "per diem will be paid in advance".

Discussion regarding current options regarding per diem payments, and thereafter the motion to amend and second were withdrawn.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to amend the motion to include the option to receive per diem in advance of travel and mileage afterward. The motion to amend carried by the following vote:

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

The main motion as amended carried by the following vote:

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

6. GENERAL BUSINESS:

- A. [20-2807](#)** Discussion and Possible Action to Appoint Gid Pool or Joseph Majorino on the Charter Review Advisory Board to Serve a Term from November 10, 2020 to November 10, 2022

Ms. Taylor introduced the item and spoke to the application for Mr. Pool being received first.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to appoint Gid Pool as a Regular Member of the Charter Review Advisory Board and Joseph Majorino as the Alternate I on the Charter Review Advisory Board to Serve a Term from November 10, 2020 to November 10, 2022. The motion carried by the following vote:

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

- B. [20-2787](#)** Discussion and Possible Action Regarding Agenda Items for the 2021 Convocation of Governments Based on the Interlocal Agreement for School Facility Planning

Mr. Lear introduced this item.

Discussion took place regarding items for technology in remote areas, joint funding for traffic light at the high school and middle school, status of the future school in West Villages (Wellen Park), surtax initiative, capital funds, Sarasota County School tax, changes in trim notice from last year, policy initiative with Florida League of Cities for technology in remote areas, last year's graduation ceremonies for North Port and Venice High School held at the Braves Stadium and the School Board assisting scheduling and collaboration of financial responsibilities, and the Commission to receive a copy of the memo to the school board.

There was a consensus to discuss mutual investment and partnership between the

City and Sarasota County School Board for extending high speed internet throughout the City of North Port to address needs of North Port students.

There was a consensus to discussing joint funding to install a traffic light at the high school and middle school entrances.

There was a consensus to receive an update on potential schools in Wellen Park.

There was a consensus to add scheduling of graduation for all high schools, including the involvement of finances.

C. [20-2854](#)

Discussion and Possible Action Regarding Maker's Market Permit Application and Fee

Mr. Lear introduced the item.

Discussion ensued regarding Markers Market mirroring the Food Truck fee requirement, intent of Markers Market to allocate a location and set operational hours without charging permitting fees or regulations.

Ms. Galehouse provided clarification on staff costs, permitting fees and staff's recommendation.

Ms. Pfundheller spoke to combining the yard sale with a Makers Market and the fees.

Discussion ensued regarding charge for staff time regarding a Makers Market vs. a community yard sale fee, the \$100.00 fee covering four events for a year, permitting options for number of events, liability limits and potential, removing the \$100 fee, and fees to be paid by Maker's Market participants at community yard sales.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to remove the \$100 application fee for Maker's Market permit from the ordinance and refund money to those who paid in advance. The motion carried by the following vote:

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

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to bring back the Maker's Market ordinance to review, discuss and amend to align with the Florida League of Cities' overall Maker's Market which designates merely a location and time frame.

Discussion ensued regarding making it easier for a Makers Market event, bringing back an update within six to nine months, and the effect of COVID-19 on a turn-around time.

A motion was made by Commissioner Carusone, seconded by Mayor McDowell, to amend the motion to bring the information back to the Commission within six to eight months. The motion carried by the following vote:

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

The main motion as amended carried by the following vote:

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

D. [20-2856](#) Discussion and Possible Action on the Creation of an Archaeological Right-of-Way Use Permit

Ms. Galehouse introduced the item.

Discussion ensued regarding State notification, Myakkahatchee Creek digging permitting going through the State requirements, City Code and Unified Land Development Code (ULDC) archaeological permit, prohibiting archaeological digs vs allowing dig preservation requirements, allowing authorized studies, cleaning up the language in Chapter 50 and Chapter 58 of ULDC, process for permitting approval for archaeological digs, an enforcement mechanism, presenting to EAB, and task the board with researching legitimate and verified sources for archaeological digs.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to bring back an amendment to Chapter 58 of the ULDC that would prohibit digging of archaeological sites within the City but allow the beneficial digging for studies or archaeological preservation by legitimate and verified sources. The motion carried by the following vote:

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

Discussion ensued regarding the Environmental Advisory Board duties and responsibilities.

7. PUBLIC COMMENT:

Ms. Taylor read the following public comment into the record:

Barbara Lockhart - Rights-of Way clear cutting and fossil digging.

8. COMMISSION COMMUNICATIONS:

Commissioner Emrich thanked Mr. Lear for his service.

Commissioner Carusone thanked Mr. Lear for his service to the City.

Mayor McDowell noted her Florida League of Cities (FLC) legislative priority, libraries offering hot spots for online school, wished Commissioner Carusone luck in the future, and acknowledged the accomplishments of Mr. Lear.

Vice Mayor Luke thanked the City Manager and Commission Carusone, events being scheduled at the same time, and updating the Commission Handbook.

9. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Lear acknowledged the veterans and presented Commissioner Emrich with a veterans coin, thanked the employees for their dedication and accomplishments, and thanked the Commission.

Ms. Slayton had nothing to report.

Ms. Taylor had nothing to report.

Commissioner Carusone spoke to changing the design of coins for collectors.

10. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 5:43 p.m.

City of North Port, Florida

By: _____
Gisele "Jill" E. Luke, Mayor

Attest: _____
Heather Taylor, City Clerk

Minutes approved at the Commission Regular Meeting this ____ day of _____,
2021.