



# 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*

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Thursday, March 5, 2020

1:00 PM

CITY COMMISSION CHAMBERS

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### CALL TO ORDER

Mayor McDowell called the meeting to order at 1:01 p.m.

### ROLL CALL

**Present:** 4 - Mayor Debbie McDowell, Vice Mayor Jill Luke, Commissioner Christopher Hanks and Commissioner Pete Emrich

**Absent:** 1 - Commissioner Vanessa Carusone

### Also Present:

Assistant City Manager Jason Yarborough, City Attorney Amber Slayton, Interim City Clerk Heather Taylor, Human Resource Manager Deb Hope, Police Chief Todd Garrison, Deputy Police Chief Chris Morales, Public Works Director Julie Bellia, and Deputy Fire Chief Joseph McCord

### PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Bill Gunnin.

### 1. APPROVAL OF AGENDA

*A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, that be approved. The motion carried by the following vote:*

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

### 2. PUBLIC COMMENT:

There was no public comment.

### 3. WELCOME OF NEW EMPLOYEES:

A. [20-1986](#) Welcome New Employees

Ms. Hope introduced new employees.

**4. GENERAL BUSINESS:**

A. [20-1965](#) Discussion and Possible Action Regarding Skate Park Mural Selection

*This item was pulled from the agenda.*

B. [20-1847](#) Discussion on allowing or restricting the operation of Low Speed Vehicles (LSV) and mini trucks as it relates to Florida State Statute 316.2122 on certain roadways within the city limits

Mr. Yarborough introduced the item.

Vice Mayor Luke spoke to the item including discussion with citizen and state statute regulations.

Deputy Police Chief Morales spoke to golf carts versus low speed vehicles (LSV) including maximum speeds, regulation regarding use on Florida Department of Transportation (FDOT) roads, age limits, current City ordinance not including LSV, and state statute regulations applicable to LSV without City ordinance, and replied to Commission questions regarding up-to speed, examples of LSV's, definition of golf cart, unlicensed vehicles, Florida Statute regarding operation on certain roadways, and golf cart rentals.

Chief Garrison spoke to recommendations for LSV's with emphasis on safety concerns.

Ms. Slayton spoke to Section 74-154 regarding no operation of rental golf carts in the City on various streets, right-of-way, and alley's or properties owned by the City.

Deputy Chief Garrison responded to additional questions regarding speed capability of LSV's, maximum golf cart speeds, traffic enforcement agreement standards, enforcement, required signage for golf carts, use of golf carts and LSV's in the West Villages, and concerns with LSV's with max speed of 25MPH.

Ms. Bellia spoke to mobility study addressing LSV regulations, and safety concerns with allowing LSV's.

Deputy Chief Morales spoke to local neighborhood road speed limits.

Public Comment:

Nelson Druin: regulations not mentioning LSV and support use of LSV's

Richard Cuuchi: LSV usage, golf cart conversion, personal transportation vehicles (PTV) use in West Villages, and current code regulations and responded to Commission questions regarding golf cart registration, and PTV versus golf carts.

Discussion took place regarding use of golf carts, PTV's and LSV's on City sidewalks, multi-modal regulations, Commission determining golf cart use on multi-use paths, regulating usage, multi-modal, stipulations for LSV's, further discussion regarding golf carts and PTV's, neighborhood communities, prohibiting use on certain roadways, crossing over roadways, ensuring there are safety requirements in place, concern with

use on major roadways, crossing at arterial and collector roads at intersections, intersections versus crosswalks, and signage requirements.

Ms. Bellia spoke to signage requirements, and designated crossing areas.

Deputy Chief Morales spoke to restrictions causing residents to make their own crossings, child safety restraints, and education.

Discussion continued regarding access roads, PTV usage on residential streets, enforcement, age requirements, caution with overregulating, mini truck and LSV usage on local roads, researching roadways mph, evaluating and monitoring LSV's, connectivity, and training course for education.

***A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to direct staff to work with the Police Department in conjunction with the City Attorney's Office to draft an ordinance to bring back to Commission regarding definition and usage of golf carts only on golf courses, PTV's being utilized within local roads barring from arterial and connector roads, crossing at certain intersections and crosswalks. The motion carried by the following vote:***

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

**Absent:** 1 - Commissioner Carusone

Mayor McDowell passed the gavel to Vice Mayor Luke.

***A motion was made by Mayor McDowell, seconded by Commissioner Hanks, to direct staff to draft an ordinance addressing the allowance of rentals of golf carts, PTV's, LSV's within City limits. The motion carried by the following vote:***

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

**Absent:** 1 - Commissioner Carusone

Vice Mayor Luke passed the gavel back to Mayor McDowell.

Mr. Yarborough spoke to potential extensive signage.

***A motion was made by Commissioner Hanks, seconded by Commissioner Emrich, to allow golf carts and PTV's to use multi-modal and multi-use paths following Florida Statutes.***

Discussion took place regarding access roads along arterial and connector roads, and concern with golf carts only being allowed in golf cart communities conflicting with allowing golf carts on multi-modal and multi-use paths.

***Commissioner Hanks, with the consent of Commissioner Emrich, amended his motion to remove "golf carts".***

Ms. Slayton emphasized the need for legal review, state statute not addressing PTV's, and suggested clarifying the intent.

***Commissioner Hanks withdrew his motion, with Commissioner Emrich withdrawing his second.***

Discussion continued regarding defining a PTV, and golf cart access.

***A motion was made by Commissioner Hanks, seconded by Commissioner Emrich,***

*to direct staff to bring back a definition for PTV's and to allow PTV's to utilize multi-modal and multi-use pathways.*

Discussion took place regarding state statute width requirements.

*A motion to amend was made by Vice Mayor Luke that multi-modal or multi-use paths be 8ft or greater.*

Ms. Bellia spoke to state statutes regarding width adjacent to a state highway and strongly recommended a 10ft. path.

*The motion to amend failed due to lack of a second.*

Discussion ensued regarding concerns with crossing over main roads, PTV crossing in the West Villages, and connecting communities on both sides of U.S. 41.

*The main motion carried by the following vote:*

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

**Absent:** 1 - Commissioner Carusone

## **7. COMMISSION COMMUNICATIONS:**

Without objection, Mayor McDowell reordered the agenda to hear Commission and Staff communication at this time.

Commissioner Emrich did not have a report.

Vice Mayor Luke reported on lighting of welcome sign.

Commissioner Hanks did not have a report.

Mayor McDowell spoke to upcoming National League of Cities conference.

## **8. ADMINISTRATIVE AND LEGAL REPORTS:**

There were no administrative or legal reports.

Recess was taken from 2:58 p.m. until 4:00 p.m.

## **5. PROCLAMATIONS AND RECOGNITIONS: TIME CERTAIN AT 4:00 P.M.**

F. [20-1994](#) Proclaim March 16th through March 20th, 2020 as Government Finance Professionals Week; Presented to Kimberly Ferrell, Finance Director

*The Commission presented this proclamation.*

D. [20-1831](#) Proclaim March 6, 2020 as Employee Appreciation Day; Presented to Staff

*The Commission presented this proclamation.*

A. [20-1785](#) Proclaim March 2020 as Developmental Disabilities Awareness Month; Presented to Patrick Guerin III, President and CEO, and Rafael Robles, Chief Philanthropy Officer

*The Commission presented this proclamation.*

- E. [20-1958](#) Proclaim February 16th through February 22, 2020 as National Engineers Week; Presented to Gerardo Traverso, P.E. Engineering Division Manager

*The Commission presented this proclamation.*

- C. [20-1991](#) Proclaim March 18, 2020 as Take Down Tobacco National Day of Action; Presented to Jennifer Sadonis, Sarasota County Health Department Tobacco Program Manager and Members of Students Working Against Tobacco (S.W.A.T.)

Commissioner Carusone arrived at 4:15 p.m.

*The Commission presented this proclamation.*

- B. [20-1951](#) Proclaim March 5, 2020 as A Special Day of Recognition for Emanne Beasha; Presented to Emanne Beasha.

*The Commission presented this proclamation.*

- G. [20-1984](#) Present Advisory Board Certificates of Appreciation to Norbert Schneider for Serving on the Public Utility Advisory Board and Judy Scheil for serving on the Citizens' Tax Oversight Committee.

*The Commission read these certificates into the record.*

- I. [20-2033](#) Presentation of the Certificate of Completion in Recognition of Completion of the 2019 Institute for Elected Municipal Officials IV: Municipal Leadership Program to Commissioner Carusone

*The Commission presented this certificate.*

- H. [20-1764](#) Present the Florida Section of the American Water Works Association's American Water Landmark Award

*The Commission presented this award.*

## **6. PUBLIC COMMENT:**

There was no public comment.

## **7. COMMISSION COMMUNICATIONS:**

Commissioner Carusone did not have anything to report.

## **9. ADJOURNMENT:**

Mayor McDowell adjourned the meeting at 4:30 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.