



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Final Road and Drainage District Governing Body

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Tuesday, October 23, 2018

4:00 PM

City Chambers

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### **MINUTES APPROVED AT THE 11-27-2018 MEETING.**

#### **CALL TO ORDER/ROLL CALL**

The North Port Road and Drainage District Regular Meeting was called to order at 4:05 p.m. in City Commission Chambers by Vice-Mayor Yates.

Present: Vice-Mayor Yates; Commissioners, Hanks, Luke and McDowell, City Manager Lear; City Attorney Slayton; Interim City Clerk Peto and Police Chief Garrison.

Absent: Mayor Carusone.

**A moment of silence was observed followed by the Pledge of Allegiance led by Commissioner Luke.**

#### **1. APPROVAL OF AGENDA – COMMISSION**

*A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the agenda as presented. The motion carried by the following vote, with Mayor Carusone absent:*

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

#### **2. PUBLIC COMMENT:**

Public comment was held from 4:09 p.m. - 4:16 p.m.

Dave Mattos: rising cost of shed permits.

Discussion ensued: (1) it was noted that the Commission will be reviewing the cost of permits on November 1, 2018 and public comment is welcome; (2) a suggestion was made to halt the additional charge until after it is addressed by the Commission.

Martin Lumpert: traffic enforcement, weeds and property ownership.

*It was requested that when the discussion regarding the City's Fee Schedule, including fees for sheds, is scheduled on the November 1, 2018 agenda for discussion and possible action, that Staff will prepare options and suggestions for Commission consideration.*

#### **3. PRESENTATIONS**

**A. [18-584](#)** US41 Multi-Use Trails Amenities Plans.

City Manager Lear introduced Public Works Director Bellia and Project Engineer Newman who gave a PowerPoint presentation of the item.

Discussion ensued: (1) the Florida Department of Transportation is paying for and will install the multi-use paths, they will not be installing the lighting or other amenities; (2) the City will install the lighting, it will be on City property and not in the FDOT right of way; (3) the grant provided by the Metropolitan Planning Organization (MPO) was for the pathway and did not include lighting, bus shelters or amenities; (4) staff will put together a pedestrian walkway lighting project and submit the project for available grants; (5) the multi-use trail construction and lighting installation will not be done concurrently, lighting will be installed after the pathway is completed; (6) solar lights were researched in 2015 and found to be cost prohibitive; (7) it was suggested to research the current cost of solar lights. There was no public comment.

Mayor Carusone joined the meeting at 4:37 p.m.

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the lighting amenity project to be added into the CIP for FY 2020-2024. The motion carried by the following vote:***

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

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to have City Manager and Staff make the U.S.41 sidewalk project a priority for MPO grants and other possible grants and funding. The motion carried by the following vote:***

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

#### **4. GENERAL BUSINESS:**

**A. [18-608](#) Secondary Emergency Access Road for the Villas of Charleston Park Subdivision.**

City Manager Lear gave an overview of the item and Public Utilities Director Bellia gave a PowerPoint presentation.

#### **PUBLIC COMMENT**

Marty Singer: opposed relocation of gate.

Bob Albee: better communication with City staff.

Bob Rainoldi: need for asphalt road.

Discussion ensued: (1) there was previous discussion for a road to join the Jockey Club and Charleston Villas; (2) Spring Haven Drive extension had been planned since 2003 and that is no longer an option; (3) a second access point in the Jockey Club is being considered in a mobility study; (4) a suggestion was made to invite all stakeholders and the two communities for discussion to find a common resolution; (5) it was suggested that the agreement with the developer be reviewed as it provides for their responsibility to complete the road; (6) the developer in the agreement went bankrupt, the transportation impact fees collected were used for studies and the Sumter Boulevard project; (7) a suggestion was made to have staff research who took ownership when the developer went bankrupt, who is responsible and does the development agreement dissolve based on the developer's bankruptcy or transfer to new owner; (8) the development order provided that

Greendale Road was to be designated as the emergency access road; (9) the dedicated road space between Greendale Road and Charleston Park Drive appears to be a dirt road separated by a wall; (10) there are other community areas that do not have secondary emergency access roads; (11) Spring Haven Drive was to be the second access for Charleston Villas west of Pan American Boulevard, Greendale Road was to be the second access for the east side of Charleston Villas; (12) Neighborhood Development Services (NDS) and the Fire Department have different requirements in the Unified Land Development Code (ULDC) and the Fire Department requires secondary emergency access roads; (13) changes were made to the Kenido Apartments entrance to enhance safety in lieu of a second entrance; (14) it was suggested that the cost of maintenance for a secondary emergency access should be split between the homeowners and the City; (15) a suggestion was made that Staff provide the Commission with a written process of flow between City departments; (16) it was noted that previous discussion regarding Springhaven Drive was attributed to Price Boulevard and now it is understood that it was relevant to Charleston Villas; (17) it was noted that future developments should provide for secondary access points and confirmed at the beginning of the project, not years later at the end of a project.

PUBLIC COMMENT

Sheila Payette: chain link gate access.

Discussion continued: (1) the Commission summarized discussion: [a] a second access point should be paved; [b] pave Springhaven Drive to Brittain Way to provide a secondary access for Charleston Villas and the Jockey Club; [c] all entities should be involved in a conversation and community input to be considered; [d] paving a connection from Grand Cypress Boulevard; [e] review continuation of the pavement at Greendale Road to Charleston Park Drive; [f] review the existing access at Springhaven Boulevard to Grand Cypress Boulevard; [g] review secondary access for the Jockey Club at Ryecroft Street and Brittain Way; [h] cost should be provided for each option; [i] review the status of the developer's obligation from the agreement; [j] list of areas that are waiting for secondary access to be built; [k] sharing of costs with the communities; [l] Woods Lane should be considered in the review.

Recess 5:55 p.m. - 6:13 p.m.

B. [18-691](#)

Drainage Easement Agreement Between MQ Coco Plum LLC and North Port Road and Drainage District for Proposed Gateway at Cocoplum Development

City Manager Lear gave an overview of the item and Public Utilities Director Bellia provided a PowerPoint presentation.

Discussion ensued: (1) a suggestion was made that item six of the agreement include a time frame for reimbursement and outline protections for the City in the event costs are not paid; (2) it was explained that the last line of item ten is standard language that the City uses in agreements; (3) it was suggested to remove the last line in item ten in the agreement; (4) a suggestion was made to use "within 30 days from receipt of invoice" to calculate a timeline for item six; (5) attorney fees and costs can be listed in the agreement as a consequence. There was no public comment.

***A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to approve the agreement between MQ CocoPlum LLC and the City of North Port Road and Drainage District for the drainage easement defined, adding to section six new language "that within 60 days of receiving the Grantor's invoice", adding***

*language that attorney fees and costs will be paid for by the prevailing party, and removing the last sentence from item ten. The motion carried by the following vote:*

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

- C. [18-692](#) Proposal utilizing Stantec Consulting Services, Inc. for professional services related to the methodology, yearly assessment roll and future projections for the Road and Drainage District for an estimated amount of \$122,424.

City Manager Lear provided an overview of the item.

Discussion ensued: (1) a new methodology requires a mailing to each household and the cost for postage is \$50,000; (2) concern was expressed that the vendor costs are an additional \$70,000 and that the intent is to tweak the methodology already completed; (3) it was explained that the vendor will have to go back through all the research again; (4) there will be three Commission workshops with the vendor and the first one is scheduled in December; (5) previously the vendor participated in a workshop, a special meeting and one on one meetings with the Commission; (6) the legislative text in the backup material incorrectly identified a special meeting as a workshop and should be corrected; (7) it was noted that the scope of services references section 3.9 and that 3.4 is that last reference in that section, indicating that there is possibly a page missing; (8) a suggestion was made to pull the item until a complete agreement is presented. There was no public comment.

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to table this item to the November 5, 2018 Road and Drainage District Special Meeting. The motion carried by the following vote:***

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

## **5. CONSENT AGENDA:**

After a request by the Mayor, the Commission determined that they would like to pull Consent Agenda item 5.B. for discussion and Interim City Clerk Peto noted that the label for the minutes in item 5.A. backup material will be corrected to September 25, 2108.

***A motion was made by Commissioner Luke, seconded by Vice-Mayor Yates, to approve Consent Agenda items A and C, with corrections to the label in the backup material of item A. The motion carried by the following vote:***

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

- A. [18-736](#) Approval of Minutes for the September 20, 2018 Road & Drainage District Special Budget Hearing, September 25, 2018 Road & Drainage District Regular Meeting.
- B. [18-693](#) Agreement with Florida Power and Light for the placement of approximately seventy-five (75) LED streetlights at various locations within the City to include annual electrical costs of approximately \$6,500 and to authorize the City Manager or his designee to execute all future Agreements with Florida Power and Light for the placement of requested

streetlights which meet the minimum criteria as specified by the Department of Public Works.

Discussion ensued: (1) concern was expressed with giving the City Manager complete authorization without bringing it to the Commission and it was suggested that it should be left on the Consent Agenda; (2) it was suggested that the City Manager provide an update on the FPL lights in the monthly update; (3) an accumulated annual report of light projects should be submitted to the Commission during the budget process; (4) Staff is reviewing street light requests that came in during the moratorium to see if they meet the current criteria; (5) when residents make a request they are placed on a list and notified how long it will take based on the number of requests and budget constraints, options are also explained; (6) concern was expressed that it is taking years to install the lights and it was suggested that Staff submit a report and present a budget request to bring the projects current.

*There was a unanimous consensus for an accumulated annual report at budget, a monthly report as done on Agendas as well as an overall current report on what is needed, what's outstanding and how to accomplish the lights.*

*A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to approve Consent Agenda item B. The motion carried by the following vote, with Commissioner McDowell dissenting:*

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

**No:** 1 - Commissioner McDowell

Discussion continued: (1) Commissioner McDowell explained she dissented due to giving authority to the City Manager and that the Commission won't know the status until after they are provided the information. There was no public comment.

**C. [18-690](#)**

Request for Bid No. 2018-64 for Concrete Flatwork to Gilliam Construction, LLC (Primary) and Sinclair Structural Corporation (Secondary) at the unit prices listed on the bid tabulation form.

**6. PUBLIC COMMENT:**

There was no public comment.

**7. COMMISSION COMMUNICATIONS:**

There were no Commission Communications.

**8. ADMINISTRATIVE AND LEGAL REPORTS:**

There were no Administrative and Legal Reports.

**9. ADJOURNMENT:**

Mayor Carusone adjourned the North Port Road and Drainage District Regular Meeting at 7:44 p.m.

City of North Port, Florida  
As the Governing Body of the North Port Road and Drainage District.

By: \_\_\_\_\_  
Christopher B. Hanks, Mayor

Attest: \_\_\_\_\_  
Kathryn Peto, City Clerk

Minutes approved at the Road and Drainage District Regular Meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.