



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final 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, Interim City Clerk

Tuesday, January 14, 2020

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor McDowell called the meeting to order at 10:00 a.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 Pete Lear, City Attorney Amber Slayton, Assistant City Attorney Michael Golen, Human Resources Director Christine McDade, Interim City Clerk Heather Taylor, City Arborist George Murphy, Planning Division Manager Nicole Galehouse, Planner Alison Christie, Fire Chief Scott Titus, Police Chief Todd Garrison, Deputy Chief Chris Morales and Recording Secretary Ida Goodman.

The Invocation was given by Pastor Danny Chronister, Trinity United Methodist Church, followed by the Pledge of Allegiance led by Alice White.

1. APPROVAL OF AGENDA

Commissioner Carusone arrived at 10:05 a.m.

A motion was made by Commissioner Hanks, seconded by Vice Mayor Luke, to approve the agenda as presented. The motion carried by the following 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. [20-1713](#) Current Vacancies for Boards and Committees and Upcoming Expiration Dates for Boards and Committees

Ms. Taylor read the announcements into the record.

4. CONSENT AGENDA:

Mr. Lear noted that Agenda item 19-1599 is to be removed and Items 19-1253, 19-1468 20-1673 and 19-1389 need to be pulled for discussion.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve the Consent Agenda items 19-1586, 19-1354, 19-1485, 20-1670, 19-1558, 20-1712, CC SAP-20-002, 19-1598 removing item 19-1599 and pulling items 19-1253, 19-1468, 20-1673 and 19-1389 for discussion. The motion carried by the following vote:

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

- A. [19-1586](#) Accept the Cash Receipts Summary Report for November 2019

This item was approved on consent.

- B. [19-1354](#) Approve Contract No. 2020-18 for Community Development Block Grant (CDBG) Sidewalks at Various Locations to C-Squared Certified General Contractor, Inc. in the Estimated Amount of \$97,929.20

This item was approved on consent.

- C. [19-1253](#) Approve the Utilization of the Florida Sheriffs Association Contract FSA18-VEL26.0 and the City of Cape Coral Contract CON-PW18-10MM for the Purchase of Three (3) 2020 Chevrolet Tahoe Police-Pursuit Vehicles and Emergency Vehicle Associated Equipment and Graphics for an Estimated Total of \$139,356.65

Mr. Rappuhn clarified the disposal process, the vehicle cycle going from 10 years to 6 years, need for larger SUV's, and determining a use for vehicles which have cycled out.

A motion was made by Vice Mayor Luke, seconded by Commissioner Hanks, to approve items 19-1253 and 19-1468. The motion carried by the following vote:

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

- D. [19-1468](#) Approve the Utilization of the Florida Sheriff's Association Contract FSA19-VEL27.0 with Garber Ford, Inc. and the City of Cape Coral Contract CON-PW18-10MM with Lightning Wireless Solutions, Inc for the Purchase of Five (5) 2020 Ford Explorer Police-Rated SUVs and Emergency Vehicle Associated Equipment and Graphics for an Estimated Total of \$280,621.75

This item was approved with item 19-1253.

- E. [19-1485](#) Approve the Utilization of the Florida Sheriffs Association Contract # FSA19-VEL27.0 with Duval Ford, LLC to Purchase One (1) New 2020 Ford Ranger for the Utilities Department Wastewater Division and Two (2) New 2020 Ford F-150 Pickup Trucks for the Utilities Department Field Operations Division for an Estimated Total of \$91,782.00

This item was approved on consent.

- F. [20-1607](#) Approve the 2019 Walmart Foundation Grant Application and Acceptance of the Community Grant in the Amount of \$2,500 to be used for Shop with a Cop

This item was approved on consent.

- G. [19-1558](#) Approve the Sole Source Purchase of Lift Station Pumps, Control Panels and Associated Components from Xylem Water Solutions USA, Inc., for a Total of \$147,941.00

This item was approved on consent.

- H. [19-1599](#) Approve the Amended Tenant Lease Agreement with AARP Foundation, Inc., for Suite B104 and Suite B105 at the Family Service Center

This item was approved on consent.

- I. [20-1712](#) Approve Minutes for the November 5, 2019 Commission Joint Meeting with PZAB and ULDC Re-Write, December 2, 2019 Commission Workshop, and December 10, 2019 Commission Regular Meeting

This item was approved on consent.

- J. [CC](#)
[SAP-20-002](#) Award Funds from the Special Event Assistance Program to Kiwanis Club of North Port to Cover the Costs of City Fees and/or Resources Associated with the January 18, 2020, Kiwanis Bike Rodeo Event

This item was approved on consent.

- K. [19-1598](#) Appoint Dee Dee Gozion as a Regular Member to the Art Advisory Board to Serve a Term from January 14, 2020 to January 13, 2022

This item was approved on consent.

- L. [20-1673](#) Appoint Gail Stevens to the Parks & Recreation Advisory Board to Serve from January 14, 2020 to January 14, 2022

Ms. Taylor clarified the application for a second term of Gail Stevens on the Parks & Recreation Advisory Board and the application of James Hersh to be a member on the Board noting that the Commission should appoint one applicant as a Regular Member and one applicant as an Alternate Member.

A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to appoint Gale Stevens as a regular member and James Hersh as an alternate member of the Parks & Recreation Advisory Board. The motion carried by the following vote:

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

- M. [19-1389](#) Appoint James Hersh as a Regular Member on the Parks & Recreation Advisory Board.

This item was approved with item 20-1673.

5. PROCLAMATIONS:

- A. [20-1670](#) Proclaim January 17, 2020 as Arbor Day; Presented to City Arborists, George Murphy and David Jayroe

Mr. Murphy recognized those associated with the Arbor Day celebration and displayed the flag recognizing Arbor Day.

Discussion ensued regarding Alice White, People for Trees and the work and effort of the City Arborists.

The Commission presented the Proclamation.

6. PRESENTATIONS:

- A. [20-1745](#) Alice White: People for Trees

Alice White and Barbara Lockhart, People for Trees, Inc., provided the presentation regarding "People of Trees, Inc." including the mission, advocacy, communications, promotion of Florida-friendly landscaping, and involvement in projects in North Port.

Discussion ensued regarding public school plantings, funding for tree plantings, process for preservation and replanting of existing trees when clear cutting, previous Sarasota County Tree Farm, recording the transplanting of large trees in West Villages and promoting positive processes for the preservation of trees.

Public comment was held:
Valerie Hollinger - People for Tree membership.

Discussion continued regarding the proposed "Tree Triangle Program", conferring with the Beautification & Tree/Scenic Highway Committee to establish the design and methodology for recommending the Tree Triangle Program, and staff involvement in the program.

7. PUBLIC HEARINGS:

PETITIONS:

- A. [CC](#) Development Master Plan, Watercress Cove, 67-lot Single-family
[DMP-19-225](#) Residential Development (QUASI-JUDICIAL)

Ms. Taylor read the Petition into the record and swore in all potential witnesses.

Commissioners Carusone, Emrich and Hanks reported no ex parte communications. Mayor McDowell forwarded 2 emails she received to Ms. Taylor, and Vice Mayor Luke reported she met with Mr. Lear, Assistant City Manager Yarborough, and Assistant City Attorney Golen regarding questions which she forwarded to Ms. Taylor.

Gerald Sear, Project Manager for FNA Community developer for Adams Homes, being duly sworn, proved background information and a presentation regarding the Engineering Development Master Plan for Skile Road property, the Watercress Cove Petition overview, existing property, property aerial, proposed site plan, waiver request and project benefits.

Ms. Christy, being duly sworn, provided the staff findings, overview of the petition, required meetings, staff review of Master Plan, conditions listed from staff, and overall staff recommendation with waivers and conditions.

There were no aggrieved parties and the Applicant and Staff had no rebuttals.

Discussion ensued regarding design of project as single-family homes with the current zoning able to support apartment developments, market value based single-family subdivision project, size of proposed single-family homes, buffering requirements for single family homes, creating a landscape buffer within the design of abutted properties, clarification on the 35% vs. up to 45% building coverage, 2-year timeline of the development master plan, ensuring investment security, methodology of developing and selling the completed houses, staff development review comments on buffer requirements, noting type C language was in error and the type A buffer language was based on a multi-family use and has been removed, number of waivers requested, utility infrastructure requirements as presented, size of proposed homes not including the garage, lanai, walkways, etc. which is the purpose of the 45% lot coverage waiver, water drainage concerns and stormwater ponds onsite, review of the 45% coverage ratio vs the 35% current requirements applying to the building footprint, size of lanai and garage structures which will be accommodated with the 45% coverage, building permit requirements, design for solid waste pickup, and adding a waiver without Planning & Zoning Advisory Board review.

Ms. Slayton clarified that the Commission can require a buffer in the master plan but cautioned about applying a restriction to some properties and not others.

Discussion continued regarding difference between type A and type C buffer, waiver of canopy buffering consistency, buffer requirements on Ponce De Leon and Biscayne, Charleston Park buffer requirements, Adams Homes agreeing to determine a suitable buffer between abutted single family homes, requirements for Southwest Florida Water Management District approval, the process for development master plan approval and final site plan design approval.

There were no closing arguments.

A motion was made by Commissioner Carusone, seconded by Commissioner Hanks, to approve Petition DMP 19-225 with the waivers as presented by both staff and applicant and a condition to add a Type A buffer along the project area and including

Waivers:

- 1. to allow for a minimum lot size of 6,000 square feet and lot width of 50 feet;***
- 2. to allow for a side setback of 5 feet, a rear setback of 20 feet, and a 10 foot***

distance between buildings;

3. to allow stacking for one (1) vehicle at the southerly gated entrance along Rocliff Avenue;

4. to allow street trees to be included in the 35% canopy requirement.

Additional proffered conditions:

1. All proposed projects or developments shall comply with the Florida Fire Prevention Code (FFPC), 6th Edition (NFPA 1 – Fire Code, 2015 Edition with State of Florida Amendments) and the City of North Port Unified Land Development Code (ULDC), Chapters 37 and 60 as outlined prior to formal submittal;

2. Emergency Access Plans (EAP) for Fire Apparatus Access shall be submitted for review and approval prior to commencement of all new construction as outlined in Florida Fire Prevention Code (FFPC), 6th Edition (NFPA 1 Fire Code, 2015 Edition), § 1:18.1.3 and § 60 10(A C) of the City of North Port’s Unified Land Development Code (ULDC);

3. It is the owner’s responsibility to provide safeguards during building construction, alteration and demolition operations as outlined in Chapter 16 SAFEGUARDS DURING CONSTRUCTION of the FFPC, 6th Edition;

4. Fire hydrants in single family residential subdivisions shall be spaced no more than 800’ apart, connected to main no less than six inches (6”) in diameter and capable of delivering fire flows as outlined in § 37 17 of the City of North Port’s Unified Land Development Code (ULDC);

5. The SWFWMD ERP 42031539.000 Wetland delineation dated October 11, 2006 valid for 5 years. In the later infrastructure submittal, the no wetland reverification will need to be approved by SWFWMD;

6. The wildlife survey was done on June 4, 2019 and many burrows were found. If the survey is older than 90 days from the proposed start of land clearing, another gopher tortoise survey needs to be done per FWC Gopher Tortoise Permitting Guidelines for the site. The gopher tortoise survey must be completed prior to scheduling the pre construction meeting or applying for a land clearing permit. All gopher tortoise burrows found on site must either be avoided with the required 25 ft radius. If gopher tortoises are proposed to be relocated, an FWC relocation permit for the relocation is needed, and a copy provided to the City. On completion of the relocation actions, submit a summary After Action report to the City that identifies the total number of tortoises relocated to the designated property;

7. A developer agreement shall be negotiated with the utility department and approved by the Utility Director and City Staff prior to DEP or DOH permits being signed and released;

8. Neighboring property owners that will be required to hook up to City water and/or sewer must be notified by the applicant at the time the applicant submits their Infrastructure plans to the City.

9. A Type A landscape buffer will be required along the project area.

The motion carried by the following vote:

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

ORDINANCES - Second Reading:

- B. [ORD. NO. 2020-01](#) An Ordinance of the City of North Port, Florida Amending Section 2-419 of the Code of the City of North Port, Florida, Relating to Disposition of City Assets and Property; 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 and provided an overview.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve Ordinance No. 2020-01 as presented. The motion carried by the following vote:

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

ORDINANCES - First Reading:

- C. [ORD. NO. 2020-03](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, to Create Section 34-56 - Makers Market Vendor Permit; Amending Section 34-54 - Definitions; and Amending Appendix A - City Fee Structure; Providing for Adoption; Providing for Conflicts; Providing for Severability; 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 vote:

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

Ms. Taylor read the Ordinance by title only.

Discussion ensued regarding adding the website on the application for vendor permits, fee schedule and adding language on the application regarding fee refunds, vendor application fees enabling participation at events, and event level of service allocation responsibilities.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to continue Ordinance 2020-03 for second reading on December 28, 2019 adding verbiage to the vendor application that there will be no refunds. The motion carried by the following vote:

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

- D. [ORD. NO. 2020-06](#) An Ordinance of the City of North Port, Florida, Repealing Section 2-362 of the Code of the City of North Port, Florida, Entitled "Public Records Requests," in its Entirety; 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 vote:

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

Ms. Taylor read the Ordinance by title only, introduced the item and provided an overview.

Discussion ensued regarding policy approved by resolution and future Commission ability to change policy by resolution.

Ms. Slayton noted that the City Charter and Florida Statutes define the purpose of a resolution and ordinance, read the language in the City Charter defining an ordinance and resolution, and enforceable ordinances and policies.

Ms. Taylor reported that policy is adopted by resolution and would follow Florida Statutes.

Discussion ensued regarding criteria for providing a public record and fee schedule, violating City policy subject to legal action, public comment time limits, process for setting City policy and public access, City policy regarding disposition of assets, notification requirements for resolution and ordinances, policy adopted by Ordinance and Florida Statute requirements, adoption of policy by resolution, methodology for City policy for providing public record requests, and fee schedule.

A motion was made by Vice Mayor Luke, seconded Commissioner Hanks, to continue Ordinance No. 2020-06 for second reading on January 28, 2020. The motion carried by the following vote:

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

8. GENERAL BUSINESS:

A. [20-1653](#) Discussion and Possible Action Regarding the City's Public Art Contribution Program

Recess was taken from 12:00 p.m. to 12:31 p.m.

Mr. Lear introduced the item and provided an overview including the art fund requirements for developments.

Discussion ensued regarding contact with previous developers regarding the art fund contribution and collaboration with high school art students, increase cost of construction and art fund contribution costs, review of the art fund contribution and methodology of determining the contribution, intent of a public art fund policy, parties effected by the art fund, decreasing the amount that a developer is required to contribute to the art fund, attach the art fund requirement to square footage development calculation to decrease the requirement, original intent of the public art fund, and analyzing the cost and plan for the public art fund, and waiting for the Art Advisory Board to bring recommendations regarding a public art plan.

Mr. Lear noted the current monies in the public art fund, the Art Advisory Board creating a plan for public art, the intent of this item to discuss options and policy for contributions to the public art fund and current requirements of developer contributions to the public art fund.

Ms. Galehouse clarified the public art fund requirement for the proposed hotel development in North Port, the current criteria for the public art fund requirement, Section

59-4 of the Unified Land Development Code addressing the the public art requirement for development and activity centers, and art fund requirement if developers are paying into the art fund or developing their own art.

Discussion continued regarding the current public art fund requirement, average public art fund contribution based on construction costs, public art fund requirements for activity centers, methodology of options for contribution of public art, the Art Advisory Board collaborating with the developer on public art, phasing in the fund requirement based on a different criteria, pervious public art plan, timeline for processing the fund requirement if changing the criteria requirement, contributing amount based on square footage or construction costs depending on which is the lesser amount, determining a flat rate for fund contribution, current maximum contribution, encouragement of businesses to develop their own public art, activity center focal point for public art, changing the requirements and considering the developers who have previously contributed, current determination of the calculation for contributions, lowering the precentage of the required public art and art themes in other municipalities.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to direct staff to work together to bring back to the Commission some scenarios utilizing the various methodologies that have been discussed whether lowering the percentage, or one dollar per square foot, whether it is the size of the parcel versus the entirety of the activity center and the Commission look at the different scenarios with potential figures pricing put with it so that we can have a discussion in the future. The motion carried by the following vote:

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

Discussion continued regarding other municipalities public art fund, fair and equitable determination of the public art fund requirements, procedures for the contribution and determining a theme for public art, intent of public art, and diversity in public art.

B. [19-1584](#)

Discussion Regarding Communication for Charter Officer Time Off

Mr Lear introduced the item.

Ms. McDade provided an overview and noted she was available for questions.

Discussion ensued regarding intent of the item and Commission direction regarding Charter Officer time off and previous recommended procedures.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve the best practices and recommended procedures as presented by Human Resources for Charter Officers. The motion carried by the following vote:

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

No: 1 - Commissioner Hanks

Commissioner Hanks noted that the recommended procedure adds an unnecessary burden on the Charter Officers and the Commission is aware when they have taken time off.

Discussion continued regarding Commission emergency and scheduled absenteeism, notifying the Charter Officers and Commission when an emergency results in an unexpected time off, Commission calendars, setting a procedure for notification of Commissioner time off and notifying the City Manager and/or the City Clerk to enable the

presider of the meeting to be informed, quorum requirements for a meeting, and intent of workshops.

Ms. Taylor reported that she is working on a meeting procedure and decorum policy in the form of a resolution.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to direct the City Clerk to add to the procedure she is working on that the Commissioner who will be absent in meetings notify the City Manager and the City Clerk who will then notify the Mayor or whoever is presiding over the meeting.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to amend the main motion removing the City Manager in the notification process. The motion to amend carried by the following vote:

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

The main motion as amended carried by the following vote:

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

C. [19-1590](#)

Discussion and Possible Action Related to the Dedication Plaque for the North Port Aquatic Center

Mr. Lear introduced the item and provided an overview regarding names on a secondary plaque.

Discussion ensued regarding the additional provided backup material, Aquatic Center budgeted amount in 2010/2011, and recognizing only the Commissioners in office when the money allocated was actually spent on the Aquatic Center.

Mr. Lear clarified the reallocation of original budgeted amount for the pool project after 2010 which was not rolled over and went back to the fund balance due to inaction of the Commission on the development of a pool.

Discussion ensued regarding creating a number of plaques and those who would be recognized on the plaques, having one plaque with all recognition, plaques at Braves Stadium, adding previous Commissions opens the possibility for plaques for Commissions on other projects, contributions of the 2007/2008 Commission, past Commissioners involved in the development of the Aquatic Center, and a plaque listing current Commission and noting "with gratitude of all previous Commission and citizens involved in making this project happen" on one plaque.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, that one plaque be built saying "Contribution of the Commissioners from 2007/2008 and 2010/2011" and including their names and a primary plaque for the 2016/2017 Commission that funded and completed the project as presented.

Discussion continued regarding a processed change request to install the pool infrastructure for project 08TCD funding which was done as an amendment and approved by the Commission.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to amend the main motion to include one plaque only with the 2016/2017 Commission as the primary with larger font on the top and centered with "In recognition of the contribution of the two Commissions from 2007/2008 and

2010/2011 years with names in smaller font. The motion to amend carried by the following vote:

Yes: 4 - Mayor McDowell, Commissioner Hanks, Commissioner Carusone and Commissioner Emrich

No: 1 - Vice Mayor Luke

The main motion as amended carried by the following vote:

Yes: 4 - Mayor McDowell, Commissioner Hanks, Commissioner Carusone and Commissioner Emrich

No: 1 - Vice Mayor Luke

10. COMMISSION COMMUNICATIONS:

B. [20-1719](#) Commissioner Carusones Communications

Commissioner Carusone reported she was appointed chair of the Manasota League of Cities where discussion occurred regarding City of Holmes Beach short-term rental regulations, mobile home park demolished by natural disaster and the ability to rebuild under previous regulations, SB 7074 or 7024, creating a firefighter bill of rights, smoking in parks to be regulated locally, raising the monetary value of local construction projects, Florida Forever State investment for hurricane relief, focusing on the environmental issues, a hospital district not paying into a Certificate of Need and State critical concern reimbursements.

Mayor McDowell agreed to send to Ms. Taylor the email of the Florida League of Cities update to provide to all Commissioners.

8. GENERAL BUSINESS:

D. [20-1724](#) Discussion and Possible Direction Regarding Tobacco and Vaping Ordinance

Ms. Slayton introduced the item.

Discussion ensued regarding businesses adhering to the Federal vaping ban and possible Federal regulations, retail licensing regulations contained in the proposed North Port Ordinance, enforcing 21 years of age and older regulation for the purchase of vaping products, State law regarding vaping regulations, State law enforcing regulation of Federal law and process of enforcing regulations.

Commissioner Carusone left at 2:06 p.m.

Mr. Golen provided clarification that the State Department of Alcohol and Tobacco is used to enforce Federal and State law and local police departments can be requested to assist in investigating violations on the sale of alcohol or tobacco products.

Police Chief Garrison noted that the North Port police assist with the State Department of Alcohol and Tobacco investigations if requested.

Discussion continued regarding proceeding with the Federal law enacted, regulation effecting only those who are under the age of 21, the North Port Ordinance a duplication of Federal Law, financial burden of duplicating services handled by a higher level of

government and Federal government regulations including age 21 and over in the sale of tobacco and vaping products.

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, to remove the previous direction to the City Attorney's office of developing an Ordinance for Tobacco 21 and allow for the State and Federal government to handle. The motion carried by the following vote:

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

Absent: 1 - Commissioner Carusone

9. PUBLIC COMMENT:

There was no public comment.

10. COMMISSION COMMUNICATIONS: - Continued

A. [20-1718](#) Commissioner Emrich's Communications

Commissioner Emrich reported he attended and read to the youth at the Shades of Green Stables which is a monthly event with other youth activities.

C. [20-1720](#) Commissioner Hanks' Communications

Commissioner Hanks had nothing to report.

D. [20-1721](#) Vice Mayor Lukes Communications

Vice Mayor Luke commented on the report received on Trakit and requested a consensus for a similar report on GovQA.

It was noted that the report should be an update on GovQA and following a review of the report, the Commission could initiate a discussion.

There was a consensus for the City Commission to receive a report on GovQA similar to the report received regarding Trakit.

E. [20-1722](#) Mayor McDowell's Communications

Mayor McDowell noted she developed a 3 part government class which was well received and requested scheduling another government class in October 2020 to be held in a room at the Morgan Family Community Center with no rental fee attached.

Mr. Lear noted that to reserve a room with no rental fee attached would need Commission approval.

Mayor McDowell clarified that this would not be City business, that she developed the class, provided all the materials and paid the room rental fee for the first series of classes.

Discussion ensued regarding definition of City business and if an individuals government class would be considered City business.

Following the discussion, Mayor McDowell agreed to pay the rental fee for a room to hold

another government class.

11. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Lear noted that the Sarasota Economic Development Corporation interlocal agreement will be brought to Commission in February, and will be taken to the vested parties in March, the Sarasota County Administrator is preparing a report for the surtax referendum and all effected municipalities will be developing projects for potential surtax funded projects, he received communication from Loveland Center to rent the Al Goll building which is need of repair and an Agenda item will be before the Commission on January 28, 2020 to discuss the direction for this building, a Public/Private partnership for the Dallas White Park area per Commission direction to be presented to the Commission within the next 2 months.

Ms. Slayton had nothing to report.

Ms. Taylor requested, at the request of IT, all Commission workshops and joint meeting be held in room 244.

Chief Titus and Chief Garrison noted a request to continue workshops in the Chambers to accommodate staff.

Discussion ensued regarding availability of space in room 244 and the Commission staying on the dais during workshops.

There was a consensus to continue holding workshops and joint meetings in Chambers with the Commission on the dais.

12. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 2:30 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.