



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Special Meeting

CITY COMMISSIONERS

Linda M. Yates, Mayor
Vanessa Carusone, Vice-Mayor
Christopher B. Hanks, Commissioner
Jill Luke, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Peter Lear, Interim City Manager
Amber L. Slayton, Interim City Attorney
Patsy Adkins, City Clerk
Kathryn Peto, Deputy City Clerk

Thursday, July 6, 2017

1:00 PM

CITY COMMISSION CHAMBERS

NOTE: This is a draft copy of the minutes of the 07-06-2017 Commission Special Meeting, has not been approved by the Commission and is subject to change.

CALL TO ORDER/ROLL CALL

The North Port City Commission Special Meeting was called to order at 1:01 p.m. in City Chambers by Mayor Yates.

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

The Pledge of Allegiance was led by the Commission.

A Moment of Silence was observed in remembrance of all veterans and service men; and also former Commissioner Hughes.

1. APPROVAL OF AGENDA – COMMISSION

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

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

Not Present: 1 - Vice-Mayor Carusone

2. PUBLIC COMMENT:

There was no public comment.

3. WELCOME OF NEW EMPLOYEES:**A. [17-1145](#) Acknowledgment of New Employees**

Human Resources Director McDade introduced the City's newest employees in the City Manager's Department; Fire Department; General Services; and Public Works.

4. PRESENTATIONS:**A. [17-1182](#) Presentation by Members of the Police Department**

Sergeant Smith and Officer Fussell provided a PowerPoint presentation regarding the North Port law enforcement agency and the many ways they are involved with the community.

B. [17-1138](#) Presentation by Doctor Gross regarding North Port's Epiphany Health Program.

Dr. Lee Gross gave a presentation regarding Epiphany Health Direct Primary Care, which is a membership-based primary care program. Interim City Manager Lear will contact Dr. Gross concerning additional information for possible implementation in the City for next fiscal year. Comments of appreciation were expressed by the Commission.

PUBLIC COMMENT

Richard Suggs: in support of Epiphany Health Direct Primary Care.

Following public comment, it was requested that Dr. Gross forward information regarding his proposed legislation, explaining that a direct contractual relationship between a physician and a patient is not health insurance and is exempt from regulation.

C. [17-1164](#) Presentation: Department of Human Resources

Human Resources Director McDade provided a PowerPoint presentation regarding the Human Resources Department responsibilities and programs for City employees.

Discussion ensued: (1) following a question, it was stated that Commission Orientation Manual was updated and will be provided by Tuesday's Commission Meeting; (2) the workplace violence training program with the Police Department was explained; (3) it was requested to place an agenda item on the July 11, 2017 Commission meeting regarding the progress of the Compensation Study

Vice-Mayor Carusone arrived at 2:15 p.m.

There was a consensus to direct the City Manager to add the Compensation Study to the July 11, 2017 meeting for discussion.

5. DISCUSSION ITEMS:**A. [17-1178](#) Discussion regarding the Commission Assignments for Boards and Committees.**

Mayor Yates requested this item to give Commissioner Luke an opportunity to participate on some of the regional Boards and Committees on which the others serve. There was no public comment.

The following Boards were suggested: [a] the Economic Development Corporation of Sarasota County (EDC) [b] the Tourist Development Committee.

There was a consensus that Commissioner Luke will be the representative on the Economic Development Corporation of Sarasota County (EDC).

Discussion continued: (1) it was noted that the TDC often goes hand-in-hand with the EDC; (2) the TDC is a multi-year appointment made by Sarasota County for the four-year term of a Commissioner; (3) the City Clerk will identify what is necessary to have Commissioner Luke replace Commissioner Hanks on the TDC.

There was a consensus that Commissioner Hanks is willing to relinquish the Visit Sarasota (the Tourist Development Council - TDC); Commissioner Luke will serve on that Board, providing that change is possible mid-stream.

It was suggested to consider replacements as the alternate on the Charlotte Harbor National Estuary Program and the EDC.

There was a consensus that Commissioner Hanks will be the Alternate on the EDC, and Commissioner Luke will serve as the Alternate on the Charlotte Harbor National Estuary Program.

Discussion ensued: (1) it was noted that the current Commission Assignment list does not include some Boards that have City representation but after a brief discussion, it was decided to leave the Commission list as it stands; (2) it was stated that the Florida League of Cities Voting Delegate used to be on the list and was removed; (3) other Boards and Committees that were included years ago have been removed; (4) it was suggested to add the Sarasota County Finance Committee and the Community Planning for Children and Youth; (5) clarification was provided that sometimes entities request that an individual Commissioner to be on a Board but was not intended that they be replaced annually.

There was a consensus that the other Boards and Committees discussed are not "official" appointments and the current Commission Board and Committee Assignments will be left as it is, with the changes that were made by consensus.

B. [17-1171](#)

Braves Spring Training Facility Economic and Fiscal Impact on the City of North Port.

Commissioner McDowell requested this agenda item as a request to receive a financial comparison regarding the financial and fiscal impact of the spring training facility on the City. There was no public comment.

Discussion ensued: (1) it was stated that the City normally performs a fiscal impact analysis for developments but the baseball stadium is a different entity and will be tweaked to make the best fit; (2) it was stated that an economic analysis similar to the one performed by Sarasota County for the Baltimore Orioles would have to be outsourced, but estimates can be provided based on assumptions, pertaining to lost revenue from ad valorem taxes, and Fire Rescue and Road & Drainage assessments; (3) concern was expressed concerning how the financial commitment of 30 years as stated in the Application, will impact the City of North Port; (4) following a question, it was stated that the Letter of Intent and the Use Agreement are the only documents signed by the City at this time, and the requested information regarding the potential financial commitment from North Port and its impact will be provided to the Commission prior to the next stage of the spring training facility approval process; (5) after a question, it was stated that a fiscal analysis could be done in-house using staff time, and an outside economic analysis from a firm would be approximately \$25,000; (6) it was opined that the

only way to get a true comparison of what would have been developed on the stadium site, is to determine what was planned for that area. Additionally, the majority of the property is not going to be tax exempt and owned by a government entity; (7) clarifications are needed regarding: [a] the number of tax producing buildings that are planned; [b] how much staff will be required for traffic control during spring training or Emergency Medical Services and who is paying for those services; [c] the potential tax revenue generated through sales tax; (8) it was stated that all impact fees collected fall under their Principles of Agreement and permit fees will be required to be paid; (9) it was requested to break out the tax revenue and permitting fees revenue for the stadium, and the other commercial buildings; (10) Commissioner Hanks: [a] was in support of the studies if it can be done in-house and doesn't cost too much; [b] expressed concern that the requested analysis is not apples to apples and none of it makes sense and is just another point to argue; (11) it was stated that the Orioles Study did not include the impact to the tax base; (12) following a question, it was clarified that if the impact analysis mentioned earlier will not delay any progress to the spring training facility, but a delay is possible if an outsourced study is done which has an impact on the Commission's decision; (13) it was stated that the City has continued to respect the obligations in the Letter of Intent and move toward acting on it. If the Commission were to take action contrary to what is in the Letter of Intent, the City Attorney's Office needs to analyze that action and provide an opinion so the Commission could make an informed opinion regarding the potential risk; (14) it was clarified that if all things happen for all parties as they written within the terms as stated in the Letter of Intent, it is expected that the potential commitments therein would be implemented, but if there is something in the terms of the Letter of Intent, that doesn't meet the expectations of any party involved, the Letter of Intent does not bind the City of North Port to \$300,000 per year, for 30 years.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to instruct Interim City Manager Lear to bring back a summary of economic and fiscal impact similar to what is done for commercial development, in house, within 45 days, showing staffing requirements for the facility similar to the DMP analysis. The motion carried by the following vote with Commissioner Hanks dissenting for reasons previously stated:

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

No: 1 - Commissioner Hanks

C. [17-1190](#)

City Attorney Job Description and Position Posting

Interim City Manager Lear presented a brief overview of the draft City Attorney Job Description. There was no public comment.

Discussion ensued: (1) it was suggested to skip posting the job description and to hire Interim City Attorney Slayton and to consider hiring an Assistant City Attorney; (2) following a request, Interim City Attorney Slayton articulated that she would be honored to represent the City; (3) Commissioner McDowell voiced concern that a short time ago the City Attorney's Agreement was terminated and expressed reservations because of her lack of experience in the State of Florida; (4) Mayor Yates: [a] favored following the hiring procedure and that Ms. Slayton submit an application for the position; [b] was concerned regarding her inexperience with the State of Florida; (5) it was suggested to use the City Manager's Agreement as a template along with some pay comparisons; (6) there was a brief discussion whether or not to require the City Attorney to reside within the City of North Port and it was decided not to make that requirement at this time.

A motion was made by Vice-Mayor Carusone, seconded by Commissioner Luke, to direct the Interim City Manager to bring an agreement forward for the appointment of Ms. Slayton as the City Attorney by the last meeting in July. The motion carried by the following vote with Mayor Yates and Commission McDowell dissenting for reasons previously stated:

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

No: 2 - Mayor Yates and Commissioner McDowell

Interim City Manager Lear stated that outside counsel will be required to prepare the City Attorney Contract.

There was a consensus to base the City Attorney Contract on the finalized version of the City Manager's Contract as a template.

There was a consensus that the following will be brought back to the Commission for review: (1) the proposed City Attorney Contract based on the City Manager Contract; (2) the previous City Attorney's Contract; (3) area in-house attorneys' pay scale for reference; (4) the previous City Attorney's range and current annual salary prior to his exit.

D. [17-1184](#)

City Manager Employment Agreement

Interim City Attorney Slayton presented an overview of the City Manager Employment Agreement with the Commission's revisions and a request regarding an extension to the ICMA accreditation provision.

Discussion ensued: (1) clarification was provided that Exhibit A, the Job Description, was inadvertently omitted but will be included in the contract; (2) it was stated that Item H, the effective date of execution to the Agreement, will be added.

A motion was made by Vice-Mayor Carusone, seconded by Commissioner McDowell, to approve the City Manager Employment Agreement signed by Mr. Lear, amending H on page 1 to read effective as of date of last execution of this Agreement. The motion carried by the following vote:

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

6. PUBLIC HEARING:

A. [17-1183](#)

Resolution No. 2017-R-25 directing the City Manager to extend the temporarily suspended enforcement of the Unified Land Development Code, parking and storage of certain vehicles Section 25-19(F), (H) and (J) as they pertain to boats on licensed trailers parked on driveways or side yards, providing for severability; and providing for an effective date.

City Clerk Adkins read Resolution No. 2017-R-25 into the record by title only and Mayor Yates provided a brief overview. There was no public comment.

Discussion ensued: (1) following a question, it was stated that the only thing this Resolution does is prevent Code Enforcement citations on boats on licensed trailers, automobiles and trucks parked on driveways or side yards; (2) after it was stated that the Resolution was drafted with the intent to do exactly as before but with an extended expiration date; (3) it was suggested to extend this to 2019 and add the provision that

once the Unified Land Development Code (ULDC) is revised, the suspension can be dissolved.

A motion was made by Vice-Mayor Carusone, seconded by Commissioner Luke, to approve Resolution 2017-R-25. The motion carried by the following vote:

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

Recess 3:53 p.m. - 4:05 p.m.

7. TIME CERTAIN 4:00 P.M. - PROCLAMATIONS AND RECOGNITIONS

A. [17-1120](#) Twenty Sixth Anniversary of Ukrainian Independence Day Proclamation.

Commissioner McDowell read the Proclamation recognizing the 26th Anniversary of the Ukrainian Independence, and the document was received by representatives of the United Ukrainian American Organization of Southwest Florida. The Police Chief, the Fire Chief and the Commissioners were invited to the Celebration of Ukrainian Independence Day on August 24, 2017 at North Port City Hall.

B. [17-1134](#) Certificates of Excellence for Coaches and Members of the Stonecrabs Team for becoming the 2017 North Port Little League Minor League "City Cup" Champions.

Mayor Yates recognized the coaches and players of the Stone Crabs Team for Minor League City Cup Champions and presented Certificates of Excellence to the members.

C. [17-1173](#) Certificates of Appreciation for Charles Kotsaftis, Tom Whitlow and Carol Culpepper in recognition of their service to the City of North Port while serving on City Advisory Boards.

Mayor Yates presented Certificates of Appreciation to former Advisory Board Members Tom Whitlow, Charles Kotsaftis, Carol Culpepper and Calum Middleton. Certificates will be mailed to those who were not in attendance.

D. [17-1141](#) Florida Green Building Coalition Award Presentation

Executive Director Davila of the Florida Building Green Building Coalition presented North Port with a Certificate of Recognition for having earned the Silver Level Designation by the Florida Green Local Government (FGLG). North Port has been certified since 2011. The Award was received by the Neighborhood Development Services Administrative Manager Romano.

5. PUBLIC COMMENT:

There was no public comment.

6. COMMISSION COMMUNICATIONS:

Commissioner McDowell: (1) received an email from the Charlotte Harbor National Estuary Program requesting a letter of support from the City to Federal and State representatives to obtain additional Federal funding and to promote the importance of the Estuary Program, and it was determined that the request will be placed as an agenda item at a future Commission meeting; (2) stated that a future discussion is needed concerning North Port's contribution to the Charlotte Harbor National Estuary Program;

(3) attended the Firecracker 5K and 4th of July Fireworks Program.

Mayor Yates requested an update from the City Manager regarding the signal light at the intersection of U.S. 41 and Gran Paradiso Boulevard in the West Villages.

Vice-Mayor Carusone provided an update on the health status of former Commissioner Buddy Hughes.

Commissioner Luke had nothing to report.

Commissioner Hanks had nothing to report.

7. ADMINISTRATIVE AND LEGAL REPORTS:

City Clerk Adkins had nothing to report.

Interim City Attorney Slayton had nothing to report.

City Manager Lear stated that the City issued a 30-day dismissal letter for one of the outsourced mowing contractors as required in the Agreement. There will be a time sensitive agenda item added to the July 11, 2017 Commission Regular Meeting, which will include price comparisons of what it would cost to do the work in-house vs. outsourced.

There was a consensus to direct the City Manager to place a time sensitive item on the July 11, 2017 Commission Regular Meeting Agenda regarding a mowing contract, including the results of the last solicitation that went out for bid.

8. ADJOURNMENT:

Mayor Yates adjourned the North Port City Commission Special Meeting at 4:34 p.m.

City of North Port, Florida

By: _____
Linda M. Yates, Mayor

Attest: _____
Patsy C. Adkins, MMC, City Clerk

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2017.