



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes Road and Drainage District Governing Body

Monday, November 13, 2017

5:01 PM

Commission Chambers

Special Meeting

NOTE: This is a draft copy of the Road and Drainage District Governing Body Special Meeting, has not been approved by the Commission and is subject to change.

CALL TO ORDER/ROLL CALL – VANESSA CARUSONE, MAYOR

The Road and Drainage District Governing Body Special Meeting was called to order at 5:29 p.m. in the City Chambers by Mayor Carusone.

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

The Pledge of Allegiance was led by the Commission.

1. APPROVAL OF AGENDA – COMMISSION

A motion was made by Commissioner McDowell, seconded by Vice-Mayor Yates, to approve the agenda. The motion carried by the following vote:

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

2. PUBLIC COMMENT:

There was no public comment.

3. PUBLIC HEARINGS:

A. [17-1445](#)

Third Reading of Ordinance No. 2017-27, Adoption of Fiscal Year 2017-2018 Road and Drainage District Budget.

City Clerk Adkins read Ordinance No. 2017-27 into the record by title only.

Discussion ensued: (1) Vice-Mayor Yates stated that she is not in support of the Ordinance for the following reasons: (a) do not agree with some of the expenditures, (b) taking on too many projects this year, (c) the rate increase exceeds what is needed for the expenditures, (d) the transfer of \$1.3 million for future purchases is excessive; (2) Commissioner McDowell gave the following reasons for not supporting the Ordinance: (a) disagrees with SLA 18-5001 because it is not at full capacity, (b) have several concerns

about the budget, (c) too many other projects planned at this time. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner Hanks, to approve Ordinance No. 2017-27, Adoption of Fiscal Year 2017-2018 Road and Drainage District Budget. The motion carried by the following vote with Vice-Mayor Yates and Commissioner McDowell dissenting for reasons previously stated:

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

No: 2 - Vice-Mayor Yates and Commissioner McDowell

B. [17-1433](#)

Resolution No. 2017-R-38, landscaping maintenance acceptance on Plantation Boulevard

City Clerk Adkins read Resolution No. 2017-R-38 into the record by title only. City Manager Lear provided an overview of the landscaping maintenance acceptance on Plantation Boulevard.

Discussion ensued: (1) subsequent to a question, it was noted that the attachment to the Resolution should have been 10 pages but in the back up material there were a few pages missing; this does not create any advertising issues; (2) it was noted that ownership of the roadways is determined by the plat; (3) sheet 10 of the plat is a correct depiction of what the CDD owns in respect to Plantation Boulevard; (4) both property owners are in agreement with what land they own; (5) it was confirmed that the visual depiction of the map is not the legally controlling document, it is the coordinates on the plat; (6) following a question, it was stated that this Resolution is not changing the plat, it is only attached for reference; (7) previous direction regarding the abatement on Plantation Boulevard was only for a specific area but the Motion regarding acceptance was more broad; (8) subsequent to a question, it was confirmed that Huntington National has a larger invoice because they own more of the abated roadway; (9) it was explained that Huntington National and the Woodlands CDD have both paid their respective portion of the abatement; (10) it was noted that adding clarifying language to the Resolution specifically outlining the City's responsibility to maintain the right-of-way can be included but from a legal standpoint the Resolution language is sufficient as presented; (11) following a question, it was confirmed that this Resolution would add Plantation Boulevard, in its entirety, to the City's maintenance program; (12) it was noted that the instrument number is referring to the plat and that number is assigned by the Clerk of the Court.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Hanks, to adopt Resolution No. 2017-R-38 with the 10 page final plat as attachment 1.

A motion was made by Commissioner McDowell to amend the motion to accept this only up to Panacea Boulevard, anything south of Panacea Boulevard is still the responsibility of the CDD. The motion failed for lack of a second.

Discussion continued: (1) Mayor Carusone is not in support of the Resolution for the following reasons: (a) the original intent was not to take over Plantation Boulevard, (b) do not agree with City taxes paying for this road; (2) Commissioner McDowell stated that she cannot support the Resolution for the following reasons: (a) the abatement area was only a small part of Plantation Boulevard, not the entire length; (b) it is going to be twice the expense that was estimated; (3) the area South of Panacea Road was not included in the estimate to mow because it is a residential area; (4) Plantation Boulevard south of Panacea Road is being maintained by the Woodlands CDD, the City has never maintained or abated that part of the road. There was no public comment.

A vote was taken on the motion and was carried by the following vote with Mayor Carusone and Commissioner McDowell dissenting for reasons previously stated:

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

No: 2 - Mayor Carusone and Commissioner McDowell

Recess 6:15 p.m. - 6:26 p.m.

4. GENERAL BUSINESS:

A. [17-1458](#) Hiring a wildlife expert for the Spring Haven Drive Extension Project

Public Comment. 6:29 p.m. - 6:35 p.m.

Lawry Reid and Linda Elligott. Support hiring an expert
Joan San Lwin. Don't support the Spring Haven Drive Extension Project.

City Manager Lear and Public Works Director Bellia provided an overview of the Spring Haven Extension Project.

Discussion ensued: (1) subsequent to a question, it was confirmed that the proposed retention pond will be a "dry" pond as opposed to a "wet" pond; (2) the definition and example of a dry pond was explained; (3) there is no environmental conservation easement for the platted lots; or the School Board's property, to prevent development; (4) following a question, it was stated that the retention ditch needs to be surveyed to maintain positive flow to reduce the amount of water to allow for wildlife crossing; (5) it is a possibility to use underground piping for the ditch but it is very expensive; (6) it was noted that a wildlife expert would give an opinion about whether or not installing fencing is needed; (7) following a question, it was stated that the School Board has no plans for their property and they are not opposed to a land swap and owners of the platted lots have been contacted with no responses; (8) it was confirmed Environmental Consulting and Technology would conduct the wildlife study at no cost, with assistance from Florida Department of Transportation (FDOT) and Florida Wildlife Commission (FWC); (9) the retention ditch flows to the Myakkahatchee Creek; (10) it was noted that Southwest Florida Water Management District (SWFWMD) does not usually care for full front pipe drainage; (11) there is no monitoring taking place of the wildlife crossing on Panacea Boulevard; (12) it was stated that FDOT and FWC conduct these types of evaluations frequently; (13) this project has substantially increased in cost because of the delays; (14) the parameters for using eminent domain to obtain vacant property was discussed; (15) the pros and cons of hiring a wildlife expert were discussed for Commission consideration; (16) subsequent to a question, Vestridge Street is a public platted right of way and it would need to be researched to see who is responsible to construct the road.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to retain Environmental Consulting and Technology with any of the other free services that could be obtained in order to do a study on the wildlife corridor. The motion carried by the following vote:

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

Discussion continued: (1) it was stated that the City has owned the lots for the dry pond since 2006.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to have the City Manager and City Attorney look to contact property owners and research the opportunity to acquire the parcels through conservation easement, imminent domain, or purchase to connect the retention ditch to the Myakkahatchee Creek and pursue the conservation with the School Board regarding options for their property. The motion carried by the following vote:

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

5. PUBLIC COMMENT:

There was no public comment.

6. COMMISSION COMMUNICATIONS:

There was no Commission Communications.

7. ADMINISTRATIVE AND LEGAL REPORTS:

There was no Administrative and Legal Communications.

8. ADJOURNMENT:

Mayor Carusone adjourned the Road and Drainage District Governing Body Special Meeting at 7:36 p.m.

City of North Port, Florida

By: _____
Vanessa Carusone, Mayor

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

Minutes approved at the Road and Drainage District Governing Body Regular Meeting this ____ day of _____, 2017.