



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft 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, City Clerk

Tuesday, May 12, 2020

10:00 AM

Zoom

Virtual Meeting

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, City Clerk Heather Taylor, Economic Development Manager Mel Thomas and Police Chief Todd Garrison.

PLEDGE OF ALLEGIANCE

There was a moment of silence followed by the Pledge of Allegiance led by Mr. Lear.

Mayor McDowell announced there is a quorum.

Ms. Slayton provided a brief introduction relative to the virtual meeting.

1. APPROVAL OF AGENDA

A motion was made by Vice Mayor Luke, seconded by Mayor McDowell, 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. [20-2217](#) Current Vacancies for Board and Committees and Upcoming Expiration Dates for Boards and Committees

Ms. Taylor read the announcements into the record.

4. CONSENT AGENDA:

Mr. Lear stated no items were requested to be pulled from consent.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to approve the consent agenda as presented. The motion carried by the following vote:

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

- A. [20-2068](#) Approve the Memorandum of Understanding (MOU) Between the North Port and Sarasota K9 Search & Rescue, Inc. for Providing Prompt and Reliable Search and Rescue Services to the Community and Citizens of North Port

This item was approved on Consent.

- B. [20-2129](#) Approve Contract 2020-38 with Zep Construction, Inc. in the Amount of \$139,953.00, with a Contingency of \$13,995.00, for a Total Project Cost of \$153,948.00 for the Myakkahatchee Creek Water Treatment Plant (WTP) Structural Rehabilitation Project Phase 1 - Flocculation Tank No. 1 Repairs.

This item was approved on Consent.

- C. [20-2132](#) Approve Contract 2020-39 with U.S. Water Services Corporation in the Amount of \$645,509.36, with a Contingency of \$32,276.00, for a Total Project Cost of \$677,785.36 for the 2019 Lift Station Rehabilitation Project

This item was approved on Consent.

- D. [20-2153](#) Approve the Non-Exclusive Contract for the Treatment and Disposal of Leachate Water with Delta Pioneer, Inc

This item was approved on Consent.

- E. [20-2178](#) Approve the Memorandum of Agreement between the North Port Police Department and the Regional Organized Crime Information Center (ROCIC) to Assure that all Criminal Intelligence Systems are Used in Conformance with the Privacy and Constitutional Rights of Individuals

This item was approved on Consent.

- F. [20-2189](#) Approve Work Assignment No. 7 with Insituform Technologies, Inc. in the Amount of \$42,777.06 & Work Assignment No. 8 with Granite Inliner, LLC in the Amount of \$189,255.00 for the Inflow & Infiltration Project
- This item was approved on Consent.*
- G. [20-2214](#) Approve the Registration for the Minnesota Multi-State Contracting Alliance for Pharmacy Agreement (MMCAP) Required as Part of the Florida Department of Health's HERO Grant Participation to Provide First Responders With Naloxone at No Cost to the City.
- This item was approved on Consent.*
- H. [20-2034](#) Approve Template for a Law Enforcement Special Detail Application and Agreement and Authorize the City Manager or Designee to Sign Future Agreements Using the Approved Template
- This item was approved on Consent.*
- I. [20-2223](#) Ratification of Emergency Order No. 2020-07 Relating to the Temporary Suspension of Time Limitations for Living or Camping in Vehicles Parked on Residential Lots, and Emergency Order No. 2020-08 Relating to Temporary Procurement Processes and the Conduct of Public Procurement Meetings by Communications Media Technology.
- This item was approved on Consent.*

5. PUBLIC HEARINGS:

ORDINANCE - Second Reading

- A. [ORD. NO. 2020-21](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 42-24 - Maintenance of Stormwater Drainage Area; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date
- Ms. Taylor read the ordinance by title only.
- Mr. Lear introduced the item.
- A motion was made by Vice Mayor Luke, seconded by Commissioner Emrich, to approve Ordinance no 2020-21 as presented. The motion carried by the following vote:***
- Yes:** 4 - Vice Mayor Luke, Commissioner Hanks, Commissioner Carusone and Commissioner Emrich
- No:** 1 - Mayor McDowell
- Mayor McDowell expressed opposition to the Ordinance due to the requirement of property owners maintaining the swales along with tax increases.

ORDINANCE - First Reading

- B. [ORD. NO. 2020-19](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2019-20 by Providing for Changes Identified in Exhibit A to Transfer \$50,000 from the General Fund Contingency Account for an Economic Development Feasibility Study; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

A motion was made by Vice Mayor Luke, seconded by Commissioner Hanks, to direct the City Clerk 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.

Mr. Lear introduced the item and responded to questions regarding use of \$50,000 contingency line within the non-departmental budget, reason for funds in contingency, savings in budget due to COVID-19, and purpose of feasibility study.

Ms. Thomas responded to Commission questions regarding timing of feasibility study, time to complete study, and expiration of study.

Mr. Lear responded to questions regarding ability to make future decisions and purpose to help identify target industries, timeframe for completion of procurement and the study, and process for procurement under state of emergency.

Mr. Lear read the following public comment into the record:
David Duval: expressed opposition of funding the study

Mr. Lear clarified pursuing targeted industries.

A motion was made by Vice Mayor Luke, seconded by Commissioner Carusone, to direct staff to bring back a consent agenda item to provide funding for a feasibility study for the economic development department from the \$50,000 contingency fund in the Commission budget. The motion carried by the following vote:

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

RESOLUTION

- C. [RES. NO. 2020-R-13](#) A Resolution of the City of North Port, Florida, Authorizing the Acquisition of Real Property Located at 5891 Jessamine Avenue, North Port, Florida 34291-6371 and Described as Parcel Identification Number 0967058935; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Ms. Taylor read the resolution by title only.

Mr. Lear introduced the item and clarified that Exhibit A needs to be replaced with the correct Exhibit, cost to secure and maintain property, plans for property, possible plans

for existing structure, number of single family homes owned by the City and timeframe for future use conservation designation.

Ms. Slayton clarified the previous direction to bring back information on conservation in June.

Arlena Dominick, Consultant, American Acquisition Company, responded to questions regarding being hired by the City to acquire properties, information provided to property owners, response from interested developed property owners, responses from vacant lot owners, funds available to purchase properties, voluntary acquisition program, average lot value, number of vacant lots available for purchase, priority of property purchases, and spoke to the opportunity of having a willing seller with no negotiations that are on the City's list of needs.

Mr. Lear responded to questions regarding funding future properties to achieve goal, possible sources to purchase land, and prior Commission direction to purchase Tier 1 and 2 lots.

Mr. Lear read the following public comment into the record:

Julie Leach: expressed opposition of the purchase.

Vice Mayor Luke read the following public comment into the record:

David Duval: expressed opposition of the purchase.

Mr. Lear responded to Commission questions regarding impact on flood insurance and ratings.

A motion was made by Commissioner Carusone, seconded by Commissioner Emrich, to approve Resolution 2020-R-13 inserting the correct Exhibit A.

Discussion followed regarding increase in property costs over time, future use for conservation and possibility for future grant funding.

Mayor McDowell expressed opposition due to the ability to purchase vacant lots, cost to maintain property, and no benefit to the corridor project.

Ms. Slayton spoke to receipt of public comment through means provided within the emergency order.

Discussion continued regarding prior direction and determining priorities for remainder of funds.

The motion carried by the following vote:

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

No: 1 - Mayor McDowell

Discussion ensued regarding the information and presentation on the progress, future proposed discussion on dissolving lot lines and possible conservation rezone, and Tier 1 and Tier 2 possible direction.

Mr. Lear recommended, due to the amount of information required, the proposed discussion be held at a workshop.

There was consensus for the City Manager to schedule a workshop on July 6, 2020

to discuss the direction for the Myakahatchee Creek Tier 1 and Tier 2.

6. PUBLIC COMMENT:

Mr. Lear read the following public comment into the record:

Marat Bagaev: expressed concern with lack of internet access in the Estates

David Duval: concern with public comment and support of zoom meeting

Discussion followed regarding submittal of public comment.

There was consensus to read public comment received via email to Mayor McDowell from Jacqueline Moore.

Mayor McDowell read the following public comment into the record:

Jacqueline Moore: North Port Kindness Survey and requested the City send an email to residents to support survey

Discussion followed regarding opposition with the City sending emails for non City events, and prior Commission support and unanimous approval to be a part of the Kindness Community.

There was consensus for the City Manager to work with Jacqueline Moore to send a city approved email to residents of the City.

Mr. Lear requested clarification on the recipients of the emails.

Discussion followed regarding adding a link to the website and promoting the link and emails not being available.

Mr. Lear stated he would work with Ms. Moore to obtain the survey.

Based on follow up discussion the consensus for the City Manager to work with Jacqueline Moore to send a City approved email to residents of the City was withdrawn.

There was consensus to send emails to City employees to alert them of the Kindness Community and promote the survey.

7. COMMISSION COMMUNICATIONS:

Vice Mayor Luke noted her third year anniversary in office, reported on Orange Hammock grant to raise funds, Dallas White Park not being for sale, unemployment application portion for businesses, and requested discussion on Fourth of July celebration.

Mr. Lear spoke to options for holding the July 4 event, possibility of changes due to State of Emergency and confirmed the fireworks have not been canceled.

Commissioner Carusone had nothing to report.

Commissioner Emrich had nothing to report.

Commissioner Hanks reported on Sarasota County Commission idea regarding "America

First", and requested a consensus to work with staff and the City Manager to draft an ordinance to stipulate the "America First" initiative and buying and employing locally.

There was a consensus for Commissioner Hanks to work with staff and the City Manager to draft an ordinance stipulating the "America First" initiative and buying and employing locally.

Discussion continued regarding products made locally, reviewing emergency orders including permitting fees which were designated to bring forward during budget hearings.

Commissioner Hanks requested consensus to have special meeting to discuss emergency orders and permitting fees which would be brought forward during budget hearings.

Ms. Slayton noted that the emergency order is only in effect during the emergency.

Mr. Lear noted that a reduction in the building permits would not be detrimental to the building fund.

There was consensus to have the City Manager work with the City Attorney to reduce building permit fees by 25% of current amount by emergency order by May 15, 2020 at 5:00 p.m.

Mayor McDowell noted the technical issues being experienced with public comment and the current State of Emergency.

Mr. Lear clarified the benefits and detriments of State of Emergency order, timeframe of order and City Manager authority for weekly extension of order.

There was consensus for the City Manager, City Attorney and City Clerk to review public comment options to find solutions for technical issues.

8. ADMINISTRATIVE AND LEGAL REPORTS:

There were no Administrative and Legal Reports.

9. ADJOURNMENT:

Mayor McDowell adjourned the meeting at 12:18 p.m.

City of North Port, Florida

By: _____
Debbie McDowell, Mayor

Attest: _____
Heather Taylor, City Clerk

Minutes approved at the Commission Regular Meeting this ____ day of _____, 2020.