



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Final City Commission Regular Meeting

### **CITY COMMISSIONERS**

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

### **APPOINTED OFFICIALS**

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

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Tuesday, February 27, 2018

6:00 PM

CITY COMMISSION CHAMBERS

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### **MINUTES APPROVED AT THE 04-24-2018 MEETING.**

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

The North Port City Commission Regular Meeting was called to order at 6:18 p.m. in City Chambers by Vice-Mayor Yates.

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

Absent: Mayor Carusone

**The invocation was provided by Commissioner Hanks followed by the Pledge of Allegiance led by Commissioner Luke.**

Recess 6:21 p.m. - 7:37 p.m.

#### **2. ANNOUNCEMENTS**

**A. [18-115](#)** Current Vacancies for Boards and Committees.

City Clerk Adkins read the Current Vacancies for Boards and Committees into the record.

**B. [18-116](#)** Upcoming Expiration Dates for Boards and Committee.

City Clerk Adkins read the Upcoming Expiration Dates for Boards and Committees into the record.

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

After a request by the Vice-Mayor, the Commission determined that they would like to

pull Consent Agenda Items 6F and 6G for discussion and move Agenda Item 5D before Item 4A to accommodate public speakers.

***A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve the Agenda, moving Item 5D before Item 4A. The motion carried by the following vote, with Mayor Carusone absent:***

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

### **3. PUBLIC COMMENT:**

Public Comment was held 7:43 p.m. - 7:57 p.m.

Dave MacIntyre: Public Utility Advisory Board applicant.

Mary Byrd: serving as Chair of Library Advisory Board, tennis at Dallas White Park.

Discussion ensued: (1) it was clarified that the City has four tennis courts and that they are in different parks.

Alice White and Allain Hale: tree canopy and Tree Ordinance.

Buddy Hughes: likes the new sound system.

### **5. GENERAL BUSINESS:**

#### **D. [18-113](#)**

Display our National and State motto "In God We Trust" in the City Commission Chambers

Vice-Mayor Yates provided an overview of the item.

Discussion ensued: (1) it was clarified the cost would be about \$390 to add the letters to the wall of the City Chambers; (2) it was suggested that the lettering can be positioned under the Seal in City Chambers; (3) the lettering will be approximately 3 inches tall and in a straight line; (4) a sample Resolution was provided to Staff to draft a similar Resolution for the City; (5) it was noted this has been the State motto since 1868; (6) it was noted that some public did not support this display; (7) it was explained that the motto is not about a particular religion or denomination; (8) all opinions are respected.

PUBLIC COMMENT:

Jared Gritton, Benjamin Peck and Buddy Hughes: support "In God We Trust" displayed in City Chambers.

***A motion was made by Commissioner McDowell, seconded by Commissioner Hanks, to have the City Manager prepare a Resolution using the sample provided as a template, and to obtain the text to fit "In God We Trust" in City Chambers, under or above the Seal at the City Manager's discretion. The motion carried by the following vote, with Mayor Carusone absent:***

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

### **4. PUBLIC HEARINGS:**

#### **A. [18-099](#)**

Ordinance 2017-43, CPA 17-121, Second Reading, Annual Revision and Update to Capital Improvement Element of the City of North Port Comprehensive Plan

City Clerk Adkins read Ordinance No. 2017-43 into the record by title only. City Manager Lear provided an overview of the item. There were no comments from the Commission and there was no public comment.

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2017-43 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

**B. [18-101](#)**

Ordinance No. 2018-01, first reading, amending the Code of the City, Chapter 4, to add new Article IX - Environmental Advisory Committee, Sections 4-180 to 4-189, establishing the Environmental Advisory Board

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to read Ordinance No. 2018-01 by title only. The motion carried by the following vote, with Mayor Carusone absent:***

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

City Clerk Adkins read Ordinance No. 2018-01 into the record by title only.

Discussion ensued: (1) it was suggested to remove the historic resources noted on page one in the first and third whereas and on page two under Powers and Duties; (2) it was noted that the focus of the Ordinance should be on the environmental aspects; (3) a scrivener's error in the block refers to "Committee" and should be corrected to "Board"; (4) it was suggested to remove the second sentence in Section 4-181 Membership because it is subjective and that the third sentence captures the intent for qualification; (5) it was suggested to add "and desire" after "interest" in the last sentence of Section 4-181; (6) it was noted the intent of this Board is to advise the Commission on how to protect our environment; (7) it was suggested to insert "wildlife habitat": [a] after environmental resources within the second Whereas Clause; [b] after natural resources in Section 4-181 page two; [c] in Section 4-182(b)(5)(6)(7); (8) it was suggested to be less restrictive and remove the verbiage "policy and best practices" from Section 4-182(b)(1)(2); (9) it was noted that this Board, as others, will follow City protocol; (10) it was suggested to amend the agenda for March 6, 2018 to include second reading of this item. There was no public comment.

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to continue Ordinance No. 2018-01 to the March 6, 2018 Commission Regular Meeting for second reading with the following changes: in the Title, after Article IX, Environmental Advisory Board instead of Committee; removing reference to all historical resources; adding references to wildlife habitat in the third Whereas, Section 4-181 and Section 4-182(b)(5)(6)(7); adding the word "desire" in Section 4-181, guided by an interest and desire in preserving and protecting; in Section 4-181 removing the sentence "Members shall be sympathetic to and knowledgeable of the principles and objectives regarding environmental protection."; Section 182(b)(1) "Advise the city commission on matters pertaining to preserving and promoting clean air and water quality" as the new language; Section 182(b)(2) "Advise the city commission on matters pertaining to preserving and promoting wildlife habitat protection". The motion carried by the following vote, with Mayor Carusone absent:***

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

**5. GENERAL BUSINESS:**

- A. [18-108](#) Discussion and possible action regarding recommendation to the Metropolitan Planning Organization (MPO) of a North Port Representative for the Citizens Advisory Committee (CAC).

City Clerk Adkins provided an overview of the item. There were no questions from the Commission and there was no public comment.

***A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve recommendation and appointment of John Cable to the MPO Advisory Committee. The motion carried by the following vote, with Mayor Carusone absent:***

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

- B. [18-109](#) 2018 Federal Priorities

City Manager Lear provided an overview of the item.

Discussion ensued: (1) the list of priorities was shared with Chamber of Commerce members and they agreed; (2) it was suggested that affordable housing be added to the list; (3) a suggestion was made to add "requesting assistance with Health Resources and Services Administration (HRSA)", because the City does not have a hospital; (4) it was suggested to add supporting commentary under the second bullet point stating "mental illness impacts school safety, the opioid crisis, and homelessness"; (5) a suggestion was made to incorporate affordable housing and workforce housing in the first bullet point; (6) it was noted that simple comment for each item is preferred when presenting the topics.

***There was a consensus to add affordable housing and workforce housing in the first bullet point.***

Discussion continued: (1) it was suggested that Staff reword bullet point two, incorporating "mental health impacts school safety, homelessness and the opioid crisis"; (2) it was noted that even though school safety, homelessness and the opioid crisis can be linked to mental health, they should be addressed separately; (3) concern was expressed about limiting mental health issues to the three suggestions; (4) it was stated that strengthening mental health will positively impact those areas; (5) it was suggested to state the "root cause of school safety issues, homelessness and the opioid crisis is attributed to mental health"; (6) it was suggested to add another bullet point item to address funding for school safety, homelessness and the opioid crisis.

***There was consensus to add a separate bullet promoting legislation and funding for the opioid crisis, school safety and homelessness.***

Discussion continued: (1) it was noted that infrastructure is already being addressed at the federal level; (2) it was noted that the item as stated is restricted to high speed broadband and it should include roads and bridges; (3) it was suggested that by changing "related" to "including" in the third bullet point, the fifth bullet point could be eliminated; (4) a suggestion was made to incorporate "transportation, water and utilities" after "broadband".

***There was a consensus to change "related" to "including" in the third bullet point, adding "transportation, bridges, water and utilities" after "broadband".***

Discussion continued: (1) it was suggested the second to last bullet point incorporate Price Boulevard after River Road, this will combine two of the bullet point items.

***There was a consensus to remove the fifth bullet point, and taking Price Boulevard and adding it to the second to last bullet.***

Discussion continued: (1) it was noted that the sixth and eighth bullet point items will remain; (2) it was suggested to add a request for HRSA services because they can provide a health care clinic; (3) concern was expressed about adding HRSA to the list without having more information of the program; (4) it was suggested to change bullet point six to say grants and programs; (5) a suggestion was made to add "including health care facilities" to item six. There was no public comment.

***There was a general agreement that the sixth bullet point item will state: The City of North Port supports funding for grants and other programs available to municipalities including health care services.***

***A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve the 2018 Federal Priorities according to the captured consensuses. The motion carried by the following vote, with Mayor Carusone absent:***

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

Recess 9:05 p.m. - 9:17 p.m.

**C. [18-107](#)**

Discussion and possible action regarding Chapter 45: Tree Ordinance.

Commissioner McDowell provided an overview of the item.

Discussion ensued: (1) it was noted that two workshops were to be scheduled to discuss the Tree Ordinance and the environmental sections that would tie-in; (2) following an inquiry, it was explained that there were many consensuses directing changes and Staff has been working on the changes; (3) some of the changes in the Tree Ordinance are affecting other Chapters of the Unified Land Development Code (ULDC); (4) there was a delay with getting a new vendor resulting in the workshops being pushed back; (5) it was explained that each consensus item will be a major discussion in a workshop setting which will require more than one workshop; (6) it was explained that Staff has been reviewing the consensuses to break them out to see the exceptions while also reviewing Chapter 21 and the impact there may be on other sections; (7) it was recommended that the workshops do not last more than five hours; (8) it was noted that the information from the May 25, 2017 workshop and different sections of the code were to be shared at a public input meeting for discussion; (9) it was noted that clarification was previously requested regarding whether a permit is needed to take down a tree as the Code provides confusing information; (10) it was noted that Staff is fast tracking to start the ULDC revisions in 60 days while following the procurement process; (11) following a concern, it was explained that Staff is hoping to have this back before the Commission in April or May; (12) concerns were expressed that 60 days is not realistic to expect the Request for Proposal (RFP) to be completed and to come back to the Commission; (13) it was noted that it could take up to a year for Chapter 45 to come back to the Commission; (14) a suggestion was made to rewrite the ULDC in sections allowing concentration on the Tree Ordinance to make it more manageable; (15) it was suggested that Staff schedule a public input session of Chapter 45, adding the other Chapters regarding environmental and incorporate the Commission consensuses; (16) concerns were expressed about the May 25, 2017 workshop regarding questions and additional information that was to be researched and provided to the Commission; (17) it was

clarified that after the public input meeting Staff will summarize all information and bring to the Commission for a workshop; (18) it was suggested to schedule the public sessions for a morning and evening session on one day; (19) it was noted that the Commission is planning on attending the public charrette regarding Chapter 45. There was no public comment.

*There was a consensus to scale down Chapter 45, and direct the City Manager to schedule a public charrette, with a day and evening session for public input, regarding Chapter 45 and information from the May 25, 2017 Commission workshop; then follow up with scheduling a Commission workshop to bring the public input along with other information the Commission requested from the May 25, 2017 workshop as soon as possible.*

## **6. CONSENT AGENDA:**

*A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve Consent Agenda items 6A, B, C, D and E, pulling items F and G for discussion. The motion carried by the following vote, with Mayor Carusone absent:*

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

- A. [18-117](#) Approval of Minutes for the October 24, 2017 Commission Regular Meeting; October 30, 2017 Commission Special Meeting.
- B. [18-110](#) Appointment of David MacIntyre as a Regular member on the Public Utility Advisory Board.
- C. [18-111](#) Appointment of Judy Scheil as a Regular Member to the Citizens Tax Oversight Committee.
- D. [18-112](#) Appointment of Scott Duff as the Fifth Trustee to the Firefighters Pension Board of Trustees by the North Port City Commission as a ministerial duty.
- E. [18-095](#) Cash Receipts Summary - January 2018
- F. [18-046](#) Utilize Clay County Agreement Bid 13/14-08, Various Equipment and Amenities for Parks and Playgrounds, for the competitive purchase of field lighting for field three at Butler Park; in an estimated amount of \$205,000, project #P18BRL. The FY 2018 adopted project budget is \$250,000.

Discussion ensued: (1) it was clarified that there are four fields at Butler Park and one of the fields already have lighting, and that this item is regarding lighting for a second field, and has already been approved in the Capital Improvement Program (CIP) for this fiscal year; (2) it was explained that: [a] the contract with Sarasota County expires the end of September; [b] the City received a termination letter from Sarasota County; [c] the City and the County each designate a representative to meet for negotiations; [d] Staff is negotiating terms of the transition, with each side stating what they want to keep; [e] the two recommendations will be sent to the City Manager and the County Administrator for review; [f] recommendations will be presented to the Commission; (3) it was noted that Sarasota County spends approximately \$1.2 million dollars a year to maintain the parks in North Port; (4) Sarasota County collects just less than \$600,000 per year from revenue

generated by North Port parks; (5) Sarasota County and the City of Venice have just entered into a tentative agreement regarding parks in Venice; (6) it was explained Sarasota County is sending a list of capital improvements for the parks; (7) park improvements over \$5,000 are the responsibility of the City; (8) the City will review the list for agreed projects and will make recommendation for the budget process; (9) it was stated that Sarasota County sent the termination letter November 29, 2017; (10) it was explained that the Huskies are the main users of the field and have a need for the lights; (11) it was noted that Fusion Soccer and I9 Sports are renting space and would like to use the field at night; (12) it was explained that it will take approximately six weeks to receive the equipment once it is ordered, that installation will be scheduled once the equipment is received, and that the field schedule will be reviewed to prevent disruption; (13) it was clarified money for this project could not be used for maintenance because the funds are from surtax; (14) it was stated that a need for utilization should be shown to invest in capital improvements for amenities. There was no public comment.

***A motion was made by Commissioner Luke, seconded by Commissioner Hanks, to approve Consent Agenda 6F Utilize Clay County Agreement Bid 13/14-08. The motion carried by the following vote, with Mayor Carusone absent:***

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

**G. [18-068](#)**

A Single-source procurement of Power DMS for Fire Rescue's document management system at a cost of \$9,147.75. The Fiscal Year 2018 adopted budget provides a budget of \$9,360.00 for this purchase.

City Manager Lear provided an overview of the item.

Discussion ensued: (1) it was clarified that: [a] the Agreement is for the Fire Department; [b] the cost is jointly funded by the general fund and the Fire District; [c] because of the joint funding, this could be heard at a City Commission Regular Meeting or a Fire District Meeting; [d] the new Contract reflects City of North Port because it was set to be heard by the City Commission; (2) it was explained that only annual renewals can be submitted under a purchase order and that a contract is initially required; (3) it was stated that Section 7A on page five provides that the Agreement will terminate and end on the first anniversary of the effective date, or if later after the subscription terms for all customer subscriptions have expired; (4) it was noted that Section 11J on page nine, provides in part, that the City Manager or designee is authorized and may approve amendments to and/or additional Quotation Sheets that do not increase the annual PowerDMS hosted subscription fee by more than ten new or additional subscriptions annually; (5) it was explained that the term may or may not end at the one-year point dependent upon subscription terms; (6) it was noted that the City Manager has unlimited authority to approve amendments or additional quotation sheets; (7) it was stated that the Agreement will continue with annual subscriptions; (8) Section two addresses fees and fee increases; (9) it is not anticipated that the vendor will increase their pricing due to the long-standing relationship with the North Port Fire District; (10) concern was expressed that after the first year of the Contract everything is subject to change and at the discretion of the City Manager; (11) it was clarified that the Contract provides the City is only bound by the Agreement and subsequent years if the Commission provides for the expense in the budget; (12) it was noted that if there were a rate increase the City Manager would have to bring it before the Commission. There was no public comment.

***A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Single-source procurement of PowerDMS for Fire Rescue and City's document management system using the revised documentation. The motion carried by the following vote, with Mayor Carusone absent:***



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

## **7. PUBLIC COMMENT:**

Public comment was held 10:18 p.m. - 10:21 p.m.  
Buddy Hughes: Agenda Item 7G and Police Chief applicants

## **8. COMMISSION COMMUNICATIONS:**

Commissioner Hanks: (1) reported that he was asked to represent the City on the Teen Court Board.

Commissioner McDowell: (1) attended the Homeless to Home luncheon; (2) attended the Revival for government; (3) stated that she is looking forward to going to Washington D.C.

Commissioner Luke: (1) shared that the parking lot at senior center area is packed; (2) shared that the Visit Sarasota County tourist map is being redone to include more about North Port; (3) shared that she heard the Sarasota Office of House offers grants for improvements and maintenance of housing; (4) stated concerns about the cost of the trip to Tallahassee; (5) shared her concerns about the necessity of the Spring Haven cutoff; (6) attended the senior games; (7) attended the CHAT meeting; (8) attended the Rode-E-O event.

Vice-Mayor Yates: (1) attended the Rode-E-O event; (2) attended the Health Fair; (3) reported attending the Metropolitan Planning Organization (MPO) meeting; (4) shared that Kevin Rouse was accepted to the MPO Citizen's Advisory Committee; (5) suggested having a discussion to create a Warm Mineral Springs Oversight Committee; (6) following an inquiry, it was stated that a report is being prepared from the recommendations received for the Spring Haven wildlife study, and that it may be on the Agenda for the last meeting in March; (7) shared that the Legislative session is coming to an end and things are changing daily; (8) provided an update that the permit has not yet been issued for the light on U.S. 41 at Gran Paradiso and IslandWalk.

Mayor Carusone: absent.

## **9. ADMINISTRATIVE AND LEGAL REPORTS:**

City Attorney Slayton: nothing to report.

City Manager Lear: (1) suggested May 14, 2018 for a joint meeting with Sarasota County and will prepare an Agenda item for ideas; (2) the Commission requested updated information regarding the parks prior to the joint meeting with Sarasota County; (3) noted that an update on the Historic Board will be on the Agenda for the last meeting in March; (4) stated he has met a contract provision by moving to North Port; (5) it was clarified that the town hall meeting is still scheduled for March 1, and that Staff is still waiting for the all-clear final report from the Department of Health to have the meeting at IslandWalk; (6) rescheduling options are: [a] combine the IslandWalk and Gran Paradiso town hall meeting already scheduled with State College of Florida on March 15; [b] reset the IslandWalk town hall meeting; (7) it was noted there is a Ribbon Cutting Ceremony at Pine Park this Saturday; (8) provided a reminder that this Friday is the Annual Employee Appreciation Luncheon; (9) shared that Police Chief candidates are interviewing today, and the City Manager will meet with the candidates tomorrow; (10) provided an update that he is working with Marty to schedule the meeting with West Villages Improvement District (WVID).



*There was a consensus for the City Manager to cancel the Townhall meeting on March 1, 2018 and combine it with the meeting already set at the State College of Florida on March 15, 2018.*

City Clerk Adkins: nothing to report.

**10. ADJOURNMENT:**

Vice-Mayor Yates adjourned the North Port City Commission Regular Meeting at 11:01 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Vanessa Carusone, Mayor

Attest: \_\_\_\_\_  
Patsy C. Adkins, MMC, City Clerk

Minutes approved at the City Commission Regular Meeting this \_\_\_\_ day of \_\_\_\_\_, 2018.