



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Regular Meeting

CITY COMMISSIONERS

Christopher B. Hanks, Mayor
Debbie McDowell, Vice-Mayor
Vanessa Carusone, Commissioner
Peter Emrich, Commissioner
Jill Luke, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Heather Taylor, Interim City Clerk

Tuesday, October 8, 2019

10:00 AM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor Hanks called the meeting to order at 10:02 a.m.

ROLL CALL

Present: 5 - Mayor Christopher Hanks, Vice Mayor Debbie McDowell, Commissioner Jill Luke, Commissioner Pete Emrich and Commissioner Vanessa Carusone

Also Present:

City Manager Pete Lear, Assistant City Attorney Michael Golen, Interim City Clerk Heather Hansen, Recording Secretary Susan Hale, Police Chief Todd Garrison, Fire Chief Scott Titus, Social Services Manager Janet Carrillo, Public Utilities Director Rick Newkirk, Utilities Engineering Manager Michael Acosta, Planner Alison Christie, Parks and Recreation Director Sandy Pfundheller, and Assistant Parks and Recreation Director Tricia Wisner.

The invocation was provided by Mayor Hanks followed by the Pledge of Allegiance led by Vice Mayor McDowell.

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

There was no public comment.

3. ANNOUNCEMENTS

- A. [19-1132](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees.

Ms. Taylor read the Current Vacancies and Upcoming Expirations into the record.

4. CONSENT AGENDA:

Mr. Lear requested to pull Consent Agenda items 19-0604, 19-1017, and 19-1024.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to approve the Consent agenda as amended, removing Items 19-0604, 19-1017, and 19-1024. The motion carried by the following vote:

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

- A. [19-1035](#) Appoint Thomas E. Van Bergen as the Real Estate Representative on the Community Economic Development Advisory Board
This item was approved on Consent.
- B. [19-1110](#) Appoint Richard Beaver as a Regular Member of the Public Utility Advisory Board.
This item was approved on Consent.
- C. [19-1112](#) Appoint Keith Brown for a Second Term as a Trustee to the North Port Police Officers' Pension Board of Trustees.
This item was approved on Consent.
- D. [19-1117](#) Appoint Nicholas Worden and the Financial Services Representative on the Community Economic Development Advisory Board.
This item was approved on Consent.
- E. [19-1118](#) Appoint Tina Powell as a Regular Member on the Environmental Advisory Board.
This item was approved on Consent.
- F. [19-1133](#) Approve Minutes for the September 5, 2019 Commission Special Meeting, September 5, 2019 Commission Budget Hearing, and September 10, 2019 Commission Regular Meeting
This item was approved on Consent.
- G. [19-1071](#) Approve the First Amended Software as a Service Agreement between PowerDMS, Inc. and The City of North Port for a Total Estimated Cost of \$3,452.10.

This item was approved on Consent.

- H. [19-1066](#) Accept the Cash Receipts Summary Report for August 2019

This item was approved on Consent.

- I. [19-0604](#) Approve Receiving a Canine Donation of a 24-month-old German Shepard Named Jett.

Mr. Lear introduced the item and requested to postpone the item until the donor arrives.

There was a consensus to postpone this until the donor arrives.

- J. [19-1017](#) Approve Community Development Block Grant Sub-Recipient Agreement between Sarasota County, Florida and the City of North Port, Florida to Fund Staff Salaries for the Social Services Division, in the Amount of \$54,000, Contract Number B-19-UC-12-0014.

Mr. Lear introduced the item.

Ms. Carrillo spoke to funds and grants received the past year, volunteer hours noted, seniors and veterans served, outside referrals increasing the number, monetary help to community from other agencies, North Port sole agency authorized to do Access Point, examples of typical cases, and importance of Social Services Department in North Port.

A motion was made by Commissioner Carusone, seconded by Vice Mayor McDowell, to approve Item 19-1017. The motion carried by the following vote:

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

- I. [19-0604](#) Approve Receiving a Canine Donation of a 24-month-old German Shepard Named Jett.

Chief Garrison introduced Jurgens Musha, who expressed it was an honor to donate a German Shepherd to the Police Department's Canine Division and Commissioners conveyed appreciation for the generosity and sacrifice of Mr. Musha.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to approve the generous donation of Jett, the canine, and welcome him to the City of North Port. The motion carried by the following vote:

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

- K. [19-1022](#) Approve Work Assignment No. 2019-07, under Continuing Contract No. 2016-23, with CDM Smith, Inc. in the Amount of \$199,945.68 for Southwest Water Treatment Plant Design Review.

This item was approved on Consent.

- L. [19-1024](#) Approve Contract No. 2020-02, Professional Engineering Services for Neighborhood Expansion Phase 2 with Giffels-Webster Engineering, Inc. in the Amount of \$597,610.00.

Mr. Lear introduced the item.

Mr. Acosta spoke to Madagascar Avenue water/sewer expansion project nomenclature of why the Phase 2 component is planned first, fee schedule and payment upon completion of a task and individual tasks paid in a lump sum, and noted the City may stop at certain points.

Mr. Golen spoke to reviewing the contract regarding payment.

Mr. Lear clarified moving \$900,000 from the long-term project to finish Sumter Boulevard but no direction received to stop this aspect, applying for a grant for the Sumter expansion and spoke to needing Commission direction if grant not awarded.

Mr. Acosta spoke to the Madagascar area being residential, gravity wastewater system, lift station improvement, possibly moving more toward the east, and approximate resident cost per lot.

Commissioner Carusone expressed opposition of the project due to the price and no plan for individual hookup without dramatic financial impact and favored expanding in commercial zones.

Mr. Acosta spoke to funding with surtax, and capacity fees remaining applicable.

Vice Mayor McDowell opposed the project due to cost, and the need to focus on commercial.

Mr. Acosta spoke to grant funding off-setting construction costs and reducing homeowner's cost, MasterPlan purpose, Phase I gravity systems vs. vacuum stations vs. low pressure, and determining what is best City-wide.

Mr. Golen clarified the Request for Proposal (RFP) projects are task-based.

Mr. Lear spoke to reviewing the Agreement along with the solicitation, Commission cancelling the RFP, and long-term impacts of successive cancellations.

Mr. Acosta explained the durability of the plan for future implementation, and ease of modifications of land use

A motion was made by Vice Mayor McDowell, to approve the RFP for only Phase I of the MasterPlan, Tasks 1 through 5, eliminating Phase II and directing the City Manager to bring a memo confirming the engineer's willingness to proceed with only Phase I. The motion died due to lack of a second.

A motion was made by Commissioner Luke, seconded by Mayor Hanks, to approve Contract No. 2020-02.

Commissioner Carusone stated she did not support the motion due to unknown impacts to individual residents, grants unknown, funding unknown, future developments unknown, more facts needed, and costs always increase with time.

Vice Mayor McDowell opposed Phase II due to direct financial effect on citizens, the need to work out details first prior to proceeding with plans, and many pieces still missing.

Mr. Acosta spoke to a previous workshop and costs being paid over 30 years.

Commission Emrich articulated that regarding large amount sitting on a shelf and other things more urgent.

Mr. Acosta spoke to Phase II being only the design phase of a sewer system with Commission approval to come at a later date.

The motion failed by the following vote:

Yes: 2 - Mayor Hanks and Commissioner Luke

No: 3 - Vice Mayor McDowell, Commissioner Emrich and Commissioner Carusone

A motion was made by Vice Mayor McDowell, seconded by Commissioner Carusone, to direct the City Manager to bring back a plan outlining incentives for residents to hook up within the first year, 40-year payment plan for infrastructure hook-up, a plan for hook-up requirement if septic fails, and a septic inspection program.

Clarification of the motion included bringing back a realistic payment plan, a program designed to require inspections for the septic tanks and a requirement to replace those on an "as needed" basis, and incentives to hookup.

Mr. Lear spoke to vendor not holding prices, and researching aspects of a septic inspection program.

Mr. Newkirk spoke to unused decommissioned septic tanks.

Discussion took place regarding Sarasota County's regulations pertaining to septic tanks.

The motion carried by the following vote:

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

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to reconsider the first motion. The motion carried by the following vote:

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

No: 2 - Commissioner Emrich and Commissioner Carusone

A motion was made by Commissioner Luke, seconded by Vice Mayor McDowell, to approve Phase I of 2020-02. The motion carried by the following vote:

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

No: 2 - Commissioner Emrich and Commissioner Carusone

Commissioners Carusone and Emrich dissenting for reasons previously stated.

It was noted that Phase I has future merit with an appropriate study, and Phase II may be brought back at a later date.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**A. [19-1127](#) Frank Cassell: Sarasota County Centennial Celebration**

Mr. Lear introduced the item.

Mr. Cassell presented an overview of the Sarasota County 2021 Centennial Celebration including plans, participation philosophy, programs and committees, archival projects, historical resources, involving North Port, his background and interest in history, and tasking Historic and Cultural Advisory Board to work with the Centennial Committee.

Ms. Christie spoke to the Board's need for Commission direction.

Mr. Cassell spoke to Sarasota County Commissioner involvement along with other entities.

There was a consensus to direct staff and the Historical & Cultural Advisory Board to work with the Sarasota County Centennial Organization as presented by Mr. Cassell, to develop a plan to participate in the collaboration on the City-side and bring back to Commission for approval and iron out details.

6. GENERAL BUSINESS:**A. [19-1123](#) Discussion and Possible Action Regarding Resolution Supporting Florida League of Cities Water Resources Legislative Priority**

Mr. Lear introduced the item.

Commissioner Luke spoke the draft resolution regarding water quality by the Florida League of Cities Legislative Policy Committee on water concerns, and requested Commission approval to bring back a draft Resolution.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to direct staff to bring back a legislative Resolution in final format for Commission approval. The motion carried by the following vote:

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

7. PUBLIC COMMENT:

Tim Ritchie: Mosaic Mining chemical plant water permit.

Chuck English: expressed concern with Sabal Trace and lack of soil samples..

8. COMMISSION COMMUNICATIONS:**A. [19-1151](#) Commissioner Luke Communication**

Commissioner Luke had nothing to report.

B. [19-1152](#) Vice Mayor McDowell Communication

Vice Mayor McDowell voiced concern regarding replacing key employees in emergencies.

Mr. Golen spoke to appointing another interim City Clerk as cited in the City Charter.

Ms. Pfundheller provided an update concerning staffing lifeguards for the aquatic center.

Ms. Wisner spoke to filling remaining positions, non-water related positions, accommodating lifeguard coverage, and final inspection by the Health Department.

Ms. Pfundheller explained reasoning for tentative facility opening dates and number of staff needed for entire facility, and clarified operational time options for the facility, ribbon cutting and opening.

Discussion ensued regarding tours of the facility being separate from ribbon cutting, adjusting the hours/days of operation, no direction being needed at this time.

C. [19-1153](#) Mayor Hanks Communication

Mayor Hanks had nothing to report.

D. [19-1155](#) Commissioner Carusone Communication

Commissioner Carusone had nothing to report.

E. [19-1154](#) Commissioner Emrich Communication

Commissioner Carusone had nothing to report.

9. ADMINISTRATIVE AND LEGAL REPORTS:

There were no administrative or legal reports.

10. ADJOURNMENT:

Mayor Hanks adjourned the meeting at 12:13 p.m.

City of North Port, Florida

By: _____
Christopher B. Hanks, Mayor

Attest: _____
Heather Taylor, Interim City Clerk

Minutes approved at the Commission Regular Meeting this ____ day of _____, 2019.