



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
Kathryn Peto, City Clerk
Heather Taylor, Deputy City Clerk

Tuesday, February 26, 2019

6:00 PM

CITY COMMISSION CHAMBERS

MINUTES APPROVED AT THE MARCH 19, 2019 MEETING.

CALL TO ORDER

The North Port City Commission Regular Meeting was called to order at 6:00 p.m. in City Commission Chambers by Mayor Hanks.

ROLL CALL

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

Also Present:

Assistant City Manager Cari Branco, Assistant City Attorney Michael Golen, City Clerk Katy Peto, Deputy City Clerk Heather Taylor, Finance Director Kimberly Ferrell, Budget Administrator June Prosser, Fire Chief Scott Titus, Parks and Recreation Director Sandy Pfundheller, Police Chief Todd Garrison, and Deputy Police Chief Chris Morales

The Pledge of Allegiance was led by the Commission.

1. APPROVAL OF AGENDA – COMMISSION

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

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

2. ANNOUNCEMENTS

A. [19-0136](#) Current Vacancies for Boards and Committees.

City Clerk Peto read the current Boards and Committees vacancies into the record.

B. [19-0137](#) Upcoming Expiration Dates for Boards and Committees.

City Clerk Peto read Boards and Committees upcoming expirations into the record.

3. PUBLIC COMMENT:

Public comment was held from 6:03 p.m. - 6:17 p.m.

Laura Ross: North Port connection corridor wildlife preservation.

Ms. Branco provided an update on the connection corridor project.

Natalie Ross: North Port connection corridor wildlife preservation.

Timothy Doyle: Complaint against the City and thanked police department for phone call.

Sandreley Henderson: equal enforcement of code violations.

Joan Herron SanLwin: Wildlife corridor and Warm Mineral Springs Master Plan.

Juliette Jones - wildlife preservation at Warm Mineral Springs.

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**A. [19-0104](#) James Pankonin, Kimley-Horn & Associates Inc.: Warm Mineral Springs Park Draft Master Plan and Summary Book**

Ms. Branco provided an overview of the item.

Ms. Pfundheller provided an overview of changes that were made to the plan since the last discussion and spoke to National Registry, stakeholder groups, requested motions after the presentation, and next steps to be taken.

Mr. Pankonin provided a presentation on archaeological summary report and recommendations, Conceptual Master Plan with emphasis on changes suggested at the workshop including removing camping locations, removing parking improvements for RV's, horse trailers, camping and cabins, removing equestrian trail, removing future parking area, moving north restroom closer to event pavilion, moving south restroom closer to historical recreation, adding restroom near community garden, and relocating event/market/flex space to 59.9 acre site and rotate and draft master plan concept.

John Bryant, Sweet Sparkman Architects, reviewed the existing building plan to include current condition, proposed building plan to reorganize current configurations, proposed building elevations with the intent to preserve the bones of the building, view of main building entrance, café/outdoor dining area, large pavilion, and structure recommendations.

Mr. Pankonin summarized the proposed utility infrastructure improvements and phasing recommendations.

Discussion ensued regarding input on phasing recommendations, master plan page 8 regarding drainage canal verbiage, page 18 public involvement typo, page 27 bus entrance location adjustment, elevated lookout tower height and code accommodation within the district, and page 38 number 2 walkway coverage.

Ms. Pfundheller provided an update on grant status'.

Discussion continued on event parking, concern with adjacent parking and safety issues, master plan regarding page 27 removing the bus entrance on Trionfo Avenue, page 25 location of maintenance area, discussion with architectural college in Sarasota, discussion with historic preservation consultant, page 25 native landscape restoration, utility phase timeline, and changes in archaeological summary report.

Ty Gremaux, Kimley-Horn and Associates, responded to Commission questions regarding 8" water connection to create a water system loop needed for fire protection flow and overall water quality and the need for the loop to be fed from two connections.

Discussion continued regarding receiving further clarification from the utilities department and a visual on what is city and county property, parking lot lighting, cost increase of rehabilitation of the buildings, and funding of phasing.

Public comment took place from 7:05 p.m. - 7:21 p.m.

Louis Macri: privatizing the springs and holding a workshop.

Jim Sawyer: prioritizing areas to be renovated to save money.

Gene Artenenko: environmental impact project has on spring.

Juliette Jones: educational facility along trail.

Alain Hale: amenities being offered.

James Bonsky: costs associated and 50-gallon drums in springs.

Commissioner Carusone stated she is unable to support the project as presented and spoke to the need for creative thinking while maintaining the environment and archeological history of the park.

Discussion took place regarding incorporating a schoolhouse educational facility, value of having a lookout tower, ability to add further amenities, leaving a legacy to generations to come, and phasing priorities to include 1. buildings and infrastructures, 2. lookout tower, and 3. trails.

There was unanimous consensus for the following priorities 1. buildings and utility infrastructure, 2. lookout tower, and 3. trails.

There was unanimous consensus to add a school house with lifestyle components.

There was unanimous consensus to relocate the maintenance building towards the back by the community garden.

There was unanimous consensus to direct staff to bring back information about the utilities looping to U.S 41 and showing the North Port properties versus Sarasota County properties.

There was unanimous consensus to check page 8 verbiage regarding the drainage canal/creek.

There was unanimous consensus to check the parking located near the flex space for safety concerns.

There was unanimous consensus to reconfigure the entrance location for bus loop to determine safe turn-around.

Recess was taken from 7:46 p.m. - 8:01 p.m.

B. [19-0116](#) Deputy Chief Chris Morales: Updated Report on Body Worn Cameras and Implementation Proposal

Ms. Branco provided an overview of the item.

Deputy Chief Morales provided a presentation to include previous presentations to Commission, process including creation of body worn camera (BWC) implementation team, BWC policy, approved agreement with Axon, received training, test and evaluation launch, and camera usage.

Commissioner Carusone returned to the dais at 8:06 p.m.

Deputy Chief Morales continued his presentation on record retention of video's, equipment included in the Officer Safety Plan (OSP), Taser 7, overall budget cost of 5-year Axon agreement, and deployment to include Axon provided training and issuance of BWC's and responded to Commission questions regarding sidearm activation, triggers for activation of BWC's, policy regarding removal of BWC's, position of BWC on officer to minimize blocking the view of the camera, cost association for training officer, additional line of internet access cost, schedule of replacement for cameras and tasers, impact on police union contracts, and compatibility with current city software and hardware.

Kevin Russell, Axon, replied to Commission questions regarding internal recording loop in BWC and clarified the difference in "on" and "recording".

Public comment was held from 8:31 p.m. - 8:34 p.m.

Jim Bonsky: removal of cameras should there be future economic hardships.

5. CONSENT AGENDA:

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to approve the Consent Agenda pulling B, C and D. The motion carried by the following vote:

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

A. [19-0087](#) Appointment of Cheryl Williamson as a Regular Member to the Parks & Recreation Advisory Board.

B. [19-0139](#) Approval of Minutes for the January 7, 2018 Commission Workshop; January 8, 2019 Commission Regular Meeting; January 14, 2019 Commission Special Meeting; January 22, 2019 Commission Regular Meeting; February 4, 2019 Commission Workshop Meeting.

City Clerk Peto requested direction to make a correction to the January 22, 2019 minutes regarding approval of item 6D, second reading of Ordinance No. 2018-63.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to change the minutes to reflect 2018-63. 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

approve all of B with the changes. The motion carried by the following vote:

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

- C.** [19-0099](#) Approve a seven-year preventative maintenance and repair service agreement with Stryker Medical, a division of Stryker Corporation, for North Port Fire Rescue's new stretcher lifting systems and stretcher at a cost of \$35,432.

A motion was made by Commissioner Luke, seconded by Vice-Mayor McDowell, to approve Consent item C. The motion carried by the following vote:

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

- D.** [19-0085](#) Approve utilization of Sarasota County contract 2019-077 for the purchase of mobile and portable radios from Motorola Solutions in the FY 2018-19 estimated budgeted amount of \$66,000.

Chief Titus replied to Commission questions regarding Sarasota County upgrades to Emergency Management System (EMS) and compatibility with current and future systems.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to approve utilization of Sarasota County contract 2019-077 to purchase the radios from Motorola. The motion carried by the following vote:

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

6. PUBLIC HEARINGS:

- A.** [19-0103](#) Final Plat, Gran Paradiso, Phase 4-E, Petition PLF-18-268 (QUASI-JUDICIAL)

Mayor Hanks stated this is a quasi-judicial hearing.

Ms. Peto swore in those wishing to provide testimony.

Mayor Hanks queried Commission Members on ex-parte communications. Commissioner Luke disclosed an agenda review briefing with the City Manager, both Assistant City Managers, and the City Attorney. Vice-Mayor McDowell, Mayor Hanks, Commissioner Carusone and Commissioner Emrich stated they did not have ex-parte communications regarding the item.

Ty Gremaux, Kimley-Horn, being duly sworn, reviewed the final plat and responded to Commission questions regarding road construction and estimated time of completion, and notification to buyers that properties are located in North Port.

There were no closing comments from the applicant or staff.

Discussion ensued regarding salesmen being informed of property location so they may relay it accordingly to potential buyers. There was no public comment.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to

approve Final Plat, Gran Paradiso, Phase 4-E, Petition PLF-18-26. The motion carried by the following vote:

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

B. [19-036](#)

Ordinance No. 2019-03, first reading, amending the Fiscal Year 2018-2019 Non-District Budget.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Carusone, to read the ordinance by title only. The motion carried by the following vote:

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

Ms. Peto read Ordinance No. 2019-03 by title only.

Ms. Ferrell reviewed the requested budget amendments, noted error on general fund of \$73,000, and reviewed projected fund balances.

Ms. Prosser responded to Commission questions regarding transfer of parks funds to the parks master account and the intended use of the 144 account balance.

Discussion took place regarding staff providing further information and balances of funds 144 and 146. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to continue Ordinance No. 2019-03 amending the Fiscal Year 2018-2019 Non-District and Capital Improvement Program Budget.

An amendment to the motion was made by Vice-Mayor McDowell, seconded by Commissioner Carusone, to have staff bring back the balances of fund 144 and 146 and also what those two funds are used for. The amendment carried by the following vote:

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

A vote was taken on the main motion, as amended, to continue Ordinance No. 2019-03 amending the Fiscal Year 2018-2019 Non-District and Capital Improvement Program Budget, to have staff bring back the balances of fund 144 and 146 and also what those two funds are used for. The motion carried by the following vote:

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

7. GENERAL BUSINESS:

Mayor Hanks queried Commission Members regarding postponing General Business Items 7A and 7B to the March 7, 2019 Regular Meeting.

A motion was made by Commissioner Carusone, seconded by Commissioner Luke, to table General Business Items 7A and 7B until the March 7, 2019 Regular Meeting. The motion carried by the following vote:

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

- A. [19-0097](#) Commission-directed ULDC Revisions to Fence Height and Location Requirements (TXT-18-296)
- B. [19-0122](#) Discussion on research regarding potential expansion of nonconforming uses

8. PUBLIC COMMENT:

There was no public comment.

9. COMMISSION COMMUNICATIONS:

Commissioner Luke reported on Advisory Board meeting regarding Commission direction pertaining to meeting time and the need to reiterate to staff the Commission's direction and requested clarification regarding a letter to the school board and the need for clarification from staff for the school board to pay for program funding for use of the pool.

Ms. Pfundheller addressed Commission questions regarding usage fees, process for bringing events back to Commission, and future conversation with the school board for program funding to establish a partnership and agreement.

Commission Luke reported on concerns with limited SCAT drivers and residents being left without transportation.

There was unanimous consensus to direct staff to send a letter to the SCAT Administrator, County Commission, and County Administrator to inform them of concerns with SCAT and request a response to what is their intention to address the issue with a requested response date of two months, and for staff to provide Commission with a copy of the letter.

Vice Mayor McDowell acknowledged staff for participation at budget meeting and reported on her attendance at Health and Wellness Fair.

Mayor Hanks had nothing to report.

Commissioner Carusone spoke to complaints received regarding Harden Dukes (HD) Homes, previous Contractors Licensing Board, and Neighborhood Development Services (NDS) possibly creating a board that works in conjunction with special magistrate.

Discussion took place regarding the need to review legalities and the justification for disbanding the Contractors Licensing Board.

Commissioner Emrich had nothing to report.

10. ADMINISTRATIVE AND LEGAL REPORTS:

- C. [19-0119](#) City Clerk/Deputy City Clerk update regarding Commission Direction.
Ms. Peto and Ms. Taylor had nothing to report.
- B. [19-0106](#) City Attorney Report - Commission-Directed Activities

Discussion took place regarding driveway requirements for corner lots and removal of Harden Dukes signs on properties.

There was unanimous consensus to direct staff to research the removal of Harden Dukes signs on properties.

A. [19-0108](#)

City Manager - Commission Update

Ms. Branco reported on 2019 Federal Legislative Priorities and queried Commissioners on any changes.

Discussion took place regarding priority 7, adding I75/Yorkshire interchange to priority 7, evaluation of accessibility to Veteran's healthcare, addressing suicide prevention with priority 2, and classification of medical marijuana as a legal substance.

There was majority consensus to add classification of medical marijuana, add I75/Yorkshire interchange to priority 7, add suicide prevention unit and/or funding source to priority 2, and add evaluation of true accessibility to Veteran's healthcare.

11. ADJOURNMENT:

Mayor Hanks adjourned the North Port City Commission Regular Meeting at 9:43 p.m.

City of North Port, Florida

By: _____
Christopher B. Hanks, Mayor

Attest: _____
Kathryn Peto, City Clerk

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