



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 Wong, City Clerk
Heather Taylor, Deputy City Clerk

Tuesday, July 23, 2019

1:00 PM

CITY COMMISSION CHAMBERS

MINUTES APPROVED AT THE 09-10-2019 MEETING.

CALL TO ORDER

Mayor Hanks called the meeting to order at 1:01 p.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 Peter Lear, City Attorney Amber Slayton, Deputy City Clerk Heather Taylor, Recording Secretary Laura Reed, Police Chief Todd Garrison, Parks and Recreation Director Sandy Pfundheller and Assistant Public Works Director Jennifer Desrosiers.

The Pledge of Allegiance was led by Commissioner Carusone.

1. APPROVAL OF AGENDA

Mr. Lear requested to pull item 3.D. from the Agenda and item 3.B. for discussion.

Mr. Lear responded to Commission questions regarding review of the Code for sequencing of agenda items and the lease in item 3.D.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to approve the Agenda and pull Item 3.D. 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. CONSENT AGENDA:

A motion was made by Commissioner Luke, seconded by Vice Mayor McDowell, to approve the Consent Agenda, pulling Items 3.B. and 3.D. The motion carried by the following vote:

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

- A.** [19-0657](#) Approve the Acceptance of a 2019 Bulletproof Vest Grant for Body Armor for Police Officers in the Amount of \$16,515

This item was approved on Consent.

- B.** [19-0729](#) Authorize City Manager to Sign and Submit the 2019 Certification of Taxable Value with the Proposed Millage Rate

Mr. Lear reviewed the item and in response to a Commission question stated this is the not-to-exceed rate.

A motion was made by Commissioner Luke, seconded by Commissioner Emrich, to approve Consent Agenda Item 3.B.

Vice Mayor McDowell requested consensus to go back to scheduling not-to-exceed rates after 5:00 p.m.

Ms. Slayton responded to Commission questions regarding requirements to be held after 5:00 p.m.

The motion carried by the following vote:

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

- C.** [19-0742](#) Approve Tenant Lease Agreement with The Loveland Center for Suite C at the Family Service Center at a Cost of \$14/sq.ft for an Annual Lease of \$13,468 or Twelve Monthly Payments of \$1,122.33

This item was approved on Consent.

- D.** [19-0743](#) Approve Family Service Center Tenant Lease Agreement with the Florida Department of Health in Sarasota County

This item was removed from the Agenda.

- E.** [19-0744](#) Approve the Water and Wastewater System Developer's Agreement Between the City of North Port and Sabal Trace Development Partners, LLC

This item was approved on Consent.

- F.** [19-0746](#) Approve Utilization of the State of Florida Purchasing Card Program - Eligible User Agreement Between the Bank of America and the City of

North Port

This item was approved on Consent.

- G. [19-0763](#) Appoint Mason (Macy) Thull as a Youth Member for the Parks & Recreation Advisory Board

This item was approved on Consent.

- H. [19-0788](#) Approve Minutes for the June 17, 2019 Commission Workshop Meeting, June 20, 2019 Commission Workshop Meeting, June 25, 2019 Commission Regular Meeting, and July 1, 2019 Commission Special Meeting.

This item was approved on Consent.

4. ANNOUNCEMENTS

- A. [19-0789](#) Current Vacancies and Upcoming Expiration Dates for Advisory Boards and Committees.

Ms. Taylor read the announcements into the record and in response to the Commission reported on the status of the Youth Advisory Board.

5. PUBLIC HEARINGS:

ORDINANCES: First Reading

- A. [ORD. NO. 2019-18](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Appendix A – City Fee Structure to Change Certain Fire, Parks and Recreation, Facility Rental, and Utilities Fees; Providing for Severability; Providing for Conflicts; Providing for Codification; and Providing an Effective Date

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to direct the Clerk 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. Taylor read the ordinance by title only.

Mr. Lear introduced the item and replied to Commission questions regarding senior and veteran fees matching the fee structure of the Aquatic Center.

Ms. Pfundheller spoke to the note to match the Achieve Anything fee categories with the Aquatic Center.

There was consensus to change the Achieve Anything veteran rates to match senior rates.

Discussion followed regarding Emergency Medical Service (EMS) fees, reimbursements and combining rates, how the mileage charge is calculated, discounted rate for hotel patrons, and discounts arranged through VisitSarasota.

Ms. Pfundheller recommended additional verbiage to allow Parks to negotiate discounts.

There was consensus to remove the discount for Warm Mineral Springs Hotel.

Discussion continued regarding the use of coupons.

There was a consensus to create language to negotiate between the City and tourist industry, be it hotel/motel agency or a company, and to allow a memorandum of understanding or contract to be put in place by the City and other entity for the use of Warm Mineral Springs.

Discussion ensued regarding reduced rates at the Aquatic Center for organized swim teams.

Ms. Pfundheller noted pending negotiations with the high school for use of the facility and recommended a set rate for swim teams.

Mr. Lear explained items addressed in an agreement for use of the facility and other organizations charging for admission, use and parking.

Ms. Pfundheller explained swim meets requesting exclusive use of facility and Commission approval for agreements.

Discussion continued with costs for full use of the facility, agreements for meets and practices, negotiating language in the fee schedule, discounts for school teams, and negotiable rates.

A consensus was proposed to add language within the fee structure attachment A to allow for negotiation between the City and organized swim teams/organizations to determine a user agreement for meets and practices.

Ms. Slayton clarified the proposed language for the fee schedule.

There was a consensus to include language that the City may negotiate additional discounted admission rates via contract with tourism level entities.

Ms. Pfundheller explained free memberships for Drug-Free Youth (DFY), amenities included, and that no discounts are provided.

Discussion took place regarding not discounting already low rates for the Aquatic Center and the need to generate revenue.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to move Ordinance No. 2019-18 to a future date for second reading with changes given by consensus to be included, and to have City Manager send out explanation for EMS mileage and the difference in charges for medical treatment without transport.

Ms. Slayton provided a recap of the consensus to include changing veteran rates to match senior rates for Warm Mineral Springs, remove specific motel discount for Warm Mineral Springs, allow City to negotiate with the tourist industry for use of Warm Mineral Springs, and allow for negotiations between City and organizations for use of the Aquatic Center for swim meets and practices.

The motion carried by the following vote:

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

- B. [ORD. NO. 2019-31](#) An Ordinance of the City of North Port, Florida, Amending the Code of The City of North Port, Florida, Chapter 78 – Utilities, Article II – Water and Wastewater Utility, to Adjust Capacity Fees and Provide Requirements Related to Reclaimed Water Charges and Wastewater System Rate Schedules; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, for the Clerk 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

Mr. Lear introduced the item.

Ms. Desrosiers replied to Commission questions regarding base rate change and noted the rates will be presented via resolution in September, capacity fees based off fee study, and development of capacity fees for commercial properties.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to move Ordinance No. 2019-31 to second reading at a future date. The motion carried by the following vote:

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

RESOLUTIONS:

- C. [RES. NO. 2019-R-09](#) A Resolution of the City of North Port, Florida, Authorizing the Acquisition of a Parcel of Real Property Located on Outreach Way and Described as Parcel Identification Number 0996001001; 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 provided an overview of the item.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Carusone, to approve Resolution No. 2019-R-09 as presented.

Ms. Slayton responded to Commission questions regarding fees being paid by the City and stated the owner will be paying outstanding taxes at the time of closing.

The motion carried by the following vote:

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

Discussion took place regarding what kind of crosswalk may be installed safely.

Ms. Bellia spoke to the plan developed to put the crosswalk in.

- D. [RES. NO. 2019-R-14](#) A Resolution of the City of North Port, Florida, Authorizing the City Manager or Designee to Execute Designated Social Services Division Program

Grant Applications, Agreements, and any Related Documents; Incorporating Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Ms. Taylor read the resolution by title only.

Mr. Lear introduced the item.

Discussion took place regarding concern with expediting checks for support from finance.

A motion was made by Commissioner Luke, seconded by Commissioner Carusone, to approve Resolution No. 2019-R-14 as presented. The motion carried by the following vote:

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

E. [RES. NO. 2019-R-20](#)

A Resolution of the City Commission of the City of North Port, Florida, Urging Members of the Florida Legislature to Support a Statutory Amendment Requiring Distributions from the Emergency Communications Number E911 System Fund to be Made to Municipalities; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Ms. Taylor read the resolution by title only.

Mr. Lear introduced the item.

Discussion took place regarding resolution pertaining to the needs of the City, not to diminish needs of other municipalities, and sending the resolution to regional cities, legislature and the governor.

There was a consensus to send the resolution to the local municipalities in the region suggesting they pass a resolution and to send an electronic version to all State Legislators and Governor.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to approve Resolution No. 2019-R-20, sending it to appropriate recipients as provided by consensus. The motion carried by the following vote:

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

6. GENERAL BUSINESS:

A. [19-0775](#)

Approve the 2020 City of North Port State and Federal Legislative Priorities

Mr. Lear introduced the item.

Discussion took place regarding the state legislative card including redundancy of verbiage, wording for emphasis on the City, control of hospital districts, conveying high rankings issues for the City, viable options for affordable housing, inclusion of the E911 resolution, and criminal reform.

There was a consensus to modify the infrastructure subtitle to state the City of North Port supports funding, and then bullet point the list items.

There was a consensus to add "local" to septic and sewer projects.

There was a consensus to add "I-75" between additional interchanges.

There was consensus to change local roads to "evacuation and local roads".

There was a consensus for the wording "accountability for hospital special districts".

There was a consensus to remove the word "pursuing" from options for affordable housing.

There was a consensus to change to "solutions for homelessness".

There was a consensus to add distribution of E911 funds as the 2nd bullet point under Public Safety and Wellness.

Discussion continued regarding the federal legislative card and it was suggested that criminal reform not be a sub-point to medical marijuana and change the wording to include "citizens" before veterans.

There was a consensus that "the City of North Port supports criminal reform" be its own bullet point and not indented.

There was a consensus for the fourth bullet point to read "The City of North Port supports assisting our local veterans and citizens", followed by the four indented bullet points.

A motion was made by Vice-Mayor McDowell, seconded by Commissioner Luke, to approve the state and legislative priorities as corrected by consensus. The motion carried by the following vote:

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

Discussion was held regarding the number of cards needed for distribution and how the cards are disbursed.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Carusone, to have City Manager print 10 each of the legislative priorities of state and federal for each Commissioner, for a total of 50. The motion carried by the following vote:

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

B. [19-0783](#)

Selection of a Date for a Joint Meeting Between the North Port City Commission and Sarasota County Commission

Mr. Lear introduced the item.

Discussion took place regarding preferred dates and meeting in the RL Anderson building.

A motion was made by Vice Mayor McDowell, seconded by Commissioner Luke, to instruct the City Manager to contact the County Administrator with the date of October 2, 2019, meeting at the RL Anderson building if available, and time to be determined by City Manager and County Administrator. The motion carried by the

following vote:

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

C. [19-0682](#) Discussion of City Charter Provisions Regarding City Clerk Employees

Mr. Lear introduced the item.

Discussion took place regarding misinterpretation of new charter and employees under Charter Officers, employees speaking with Commissioners, employee policy and procedures, and work duties of the employee stationed in the Commission area.

Ms. Slayton clarified assigned duties of the employee as delegated by the City Clerk to provide administrative services for the Commission.

Ms. Taylor spoke to the memorandum from Ms. Wong to the Commission regarding administrative services.

Discussion continued regarding Ms. Taylor's interim position in the absence of the City Clerk.

Mr. Lear spoke to there being no provision in the contract which then falls to the personnel policy, retroactive pay, and enactment by the Commission.

Ms. Slayton stated the City Clerk position is not vacant, an interim appointment is not applicable, and the necessity to set an agenda item to discuss a temporary, retroactive wage increase for the Deputy Clerk.

Discussion ensued regarding the next regular meeting and retroactive pay.

There was consensus to place an agenda item on the next regular meeting regarding a temporary, retroactive wage increase for the Deputy Clerk.

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

There was no Commission Communications.

9. ADMINISTRATIVE AND LEGAL REPORTS:

A. [19-0764](#) City Manager - Commission Update

City Manager reported on memo received from Neighborhood Development Services regarding low income housing project selection and Parks and Recreation accreditation.

B. [19-0776](#) City Attorney Report - Commission Update

The City Attorney spoke to the vacant Assistant City Attorney position.

C. [19-0784](#) Deputy City Clerk - Commission Update

Ms. Taylor advised a Workshop is scheduled for September 9, 2019 as well as a Legislative Delegation meeting.

Discussion ensued regarding cancellation of the September 9, 2019 Workshop.

10. ADJOURNMENT:

Mayor Hanks adjourned the North Port City Commission Regular Meeting at 2:55 p.m.

City of North Port, Florida

By: _____
Christopher B. Hanks, Mayor

Attest: _____
Heather Taylor, Deputy City Clerk

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