

VENICE

## North Port city manager on leave pending investigation

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NORTH PORT — In a stunning turn of events, North Port City Manager Peter Lear was placed on administrative leave by the North Port City Commission on Tuesday night, pending the results of a complaint filed against him with the city human resources department.

The commission had been scheduled to conduct his annual performance evaluation.

Lear asked to take a one-week vacation, effective on Wednesday, and return to oversee budget workshops on July 21 and 22 as well as the hearing at 5 p.m. July 22, when the commission will set the millage rate. After that, he said he would go back on leave, if needed.

Instead the commission voted 4-1 to place Lear on administrative leave with pay, with Assistant City Manager Jason Yarborough elevated to the role of acting city manager.

Commissioners did not discuss details about the allegations against Lear at the meeting but were visibly upset by having to sideline Lear.

“I want to cry, I want to cry,” Vice Mayor Jill Luke said prior to the vote.

“Absolutely,” Mayor Debbie McDowell agreed.

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“We have to do the right thing,” Luke said. “This investigation is going to take a few weeks, by the time it’s done, the commission is probably going to be recessed in August, we might not be looking at the result of the investigation until September.

“Top dog is going to be out of commission, it saddens me,” Luke said. “It saddens me because of the progress the city is making and the faith in leadership.

“We have to continue the faith in the leadership we have,” she added, referring to the trust Lear placed in Yarborough.

Commissioner Vanessa Carusone, who wanted to take Lear up on his offer to return for the budget hearings, voted against the motion.

She said Lear, who served as finance manager prior to becoming city manager, was too integral to the budget process.

Commissioner Chris Hanks echoed Luke and Commissioner Pete Emrich, who believed the city could finish the budget process with Lear on paid leave.

“A good leader and good manager trains folks to replace themselves,” Hanks said. “I have confidence, as Commissioner Emrich said, that we can put our big boy pants on and (Lear’s) staff is quite capable of getting us through this one week.”

Prior to joining the city of North Port, Yarborough served as city administrator for Lake Helen — a city of roughly 2,800 people between Orlando and Daytona Beach — and was credited with stabilizing the financial situation there.

Assistant City Manager Carie Branco served as senior division manager for fiscal services for Charlotte County prior to joining the city.

According to a statement from city spokesman Josh Taylor, Lear contacted the city Human Resources Department prior to a third-party complaint being filed against him.

“In accordance with the Resolution and out of an abundance of caution and best practices, the City Attorney’s Office has authorized an outside independent investigation into this matter,” Taylor wrote. “The investigation is confidential until it is complete.

“As always, the City will strive to resolve this complaint in a fair and expeditious manner.”

The process to investigate charter officers was set forth in a 2019 resolution.

In a Monday email to the commission, Lear indicated that he had already removed himself from the city command structure.

“In an effort to make all of my staff more comfortable during the next several weeks while this investigation is going on, I have removed all divisions/departments from reporting directly to me,” Lear wrote.

“As it stands today, Police and Communications will report directly to ACM Yarborough and Fire will report directly to ACM Branco. This is a temporary move to allow for the process to work without direct involvement on my part.

“I believe this will allow all personnel in the organization to feel comfortable and as important, all the organization to navigate this process the way it was designed to work, which is as smoothly and efficiently as possible,” Lear wrote. “I hope you all understand my first priority in this is the organizational success and both of the ACMs have graciously stepped up for this.”

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The commission did not discuss Lear’s performance evaluation though they granted his request to receive no raise for the 2020-21 fiscal year.

Lear made that request while citing the economic hardships city residents are enduring because of the COVID-19 pandemic.

But Emrich, who worked for the city for two decades prior to becoming a commissioner, worried that the offer may have come out of duress, he added he did not want to “penalize or praise” Lear without seeing the results of the investigation.

“The man has worked hard, he’s done everything we asked, to the best of his ability,” Emrich said.

Carusone said that Lear’s salary could be revisited afterwards.

“There’s nothing that precludes us from bringing a raise up after the investigation,” she added.

While on administrative leave, Lear will no longer have his city-issued computer, identification card or access to the building.