



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Pete Emrich, Mayor
Barbara Langdon, Vice Mayor
Jill Luke, Commissioner
Debbie McDowell, Commissioner
Alice White, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager
Amber L. Slayton, City Attorney
Heather Taylor, City Clerk

Tuesday, February 1, 2022

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor Emrich called the meeting to order at 10:00 a.m.

ROLL CALL

Present: 5 - Mayor Pete Emrich, Vice Mayor Barbara Langdon, Commissioner Jill Luke, Commissioner Alice White and Commissioner Debbie McDowell

Also Present

City Manager Jerome Fletcher, City Attorney Amber Slayton, Assistant City Clerk Adrian Jianelli, Recording Secretary Amanda Baker, Project Manager Monica Bramble, Parks and Grounds Manager Jeff Nelson, Assistant Parks and Recreation Director Tricia Wisner, Code Enforcement Manager Kevin Raducci, Neighborhood Development Services Director Alaina Ray, and Assistant City Manager Julia Bellia

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Assistant Parks and Recreation Director Tricia Wisner.

1. APPROVAL OF AGENDA

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

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner White and Commissioner McDowell

2. PUBLIC COMMENT:

Timothy Doyle: issues with the Tax Collector's Office

Valdy Olender: e-mail sent to Commission, public comment time limit, and organizational chart

Jeffrey Scott: accountability to constituents and quality of life standards

3. ANNOUNCEMENTS

- A. [22-2207](#) Current Vacancies and Upcoming Expirations for Boards and Committees

Ms. Jianelli read the announcements into the record.

4. CONSENT AGENDA:

Mayor Emrich announced the item.

Mr. Fletcher noted there were no items pulled.

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

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner White and Commissioner McDowell

- A. [22-2036](#) Approve the Interlocal Agreement Between the School Board of Sarasota County, Florida and the City of North Port, Florida Regarding Swim Lessons at the North Port Aquatic Center

This item was approved on the Consent Agenda.

- B. [22-2095](#) Approve the Project Lifesaver Active Membership Operational Agreement and Standards.

This item was approved on the Consent Agenda.

- C. [22-2110](#) Approve the Community Development Block Grant Subrecipient Agreement Between Sarasota County, Florida and the City of North Port, Florida for Kirk Park Improvements

This item was approved on the Consent Agenda.

- D. [22-2116](#) Approve the Application for the Hazard Mitigation Grant for an Emergency Generator at the New Utilities Administration Building in the Amount of \$280,000, and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.

This item was approved on the Consent Agenda.

- E. [22-2170](#) Approve Change Order No. 2 to Work Assignment 2021-04 for the Sumter Boulevard Utility Extensions Project with Stantec Consulting Services, Inc. for an Additional Cost of \$47,817.00 and a Total Cost of \$250,207.20.

This item was approved on the Consent Agenda.

- F. [22-2181](#) Approval of Holly Loos for a Second Term as a Regular Member of the Art Advisory Board, to Serve a Two-Year Term from February 1, 2022 to February 1, 2024.
This item was approved on the Consent Agenda.
- G. [22-2182](#) Approval of Melanee Packer as the Alternate I Member on the Planning and Zoning Advisory Board to Serve a Term from February 1, 2022 to February 1, 2026.
This item was approved on the Consent Agenda.
- H. [22-2183](#) Approval of George A. Van Salisbury a the North Port Resident on the Community Economic Development Advisory Board to Serve a Term from February 1, 2022 to February 1, 2024.
This item was approved on the Consent Agenda.
- I. [22-2202](#) Approval of Jackie Lafler as a Regular Member of the Environmental Advisory Board, to Serve a Two-Year Term from February 1, 2022 to February 1, 2024.
This item was approved on the Consent Agenda.

5. PUBLIC HEARINGS:

- A. [22-2186](#) Public Hearing for Discussion and Possible Action Regarding Draft Redistricting Maps
- Mayor Emrich announced the item.
- Mr. Fletcher introduced the item and spoke to the item being continued to a future date.
- Ms. Bramble spoke to noticing requirements, stated the descriptions of the plans were not posted in the required time frame, and spoke to the criteria of Commission releasing the redistricting plans.
- Commissions questions took place regarding when the descriptions were posted and the time frame for when the item can be brought back, process of finalizing the study and drafting an Ordinance, ensuring all requirements are met prior to the June deadline, and scheduling the item for March.
- There was no public comment.
- Mayor Emrich closed the public hearing and requested a motion.
- A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to continue Item No. 22-2186 to the March 8, 2022 Commission meeting. The motion carried on the following voice vote:***
- Yes:** 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner White and Commissioner McDowell

ORDINANCE - Second Reading:

B. [ORD. NO.2021-45](#) An Ordinance of the City of North Port, Florida, Relating to the Submission Deadline for Special Event Permit Application; Amending the Unified Land Development Code of the City of North Port, Florida, Section 53-265-Temporary Uses and Special Events; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing and Effective Date.

Mayor Emrich announced the item and directed the Assistant City Clerk to read the Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Mr. Fletcher introduced the item.

There were no Commission questions.

There was no public comment.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner Luke, to approve Ordinance No. 2021-45 as presented.

Commissioner McDowell spoke to the second readings for Ordinance Nos. 2021-45, 2022-01, and Resolution No. 2022-R-06 needing to be heard during an evening meeting, and stated she would not approve the items.

The motion carried on the following voice vote:

Yes: 3 - Vice Mayor Langdon, Commissioner Luke and Commissioner White

No: 2 - Mayor Emrich and Commissioner McDowell

Commissioner McDowell dissented for reasons stated.

Discussion took place regarding the method of hearing Ordinances and Resolutions not being a written policy due to the possibility of extenuating circumstances, and the recent technological issues within the City being an example of extenuating circumstances.

Mayor Emrich dissented, agreeing with Commissioner McDowell, and spoke to the importance of transparency.

C. [ORD. NO. 2022-01](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Section 13-11, Regarding Criteria for Granting Permits for Single-Family Boat Docks; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Emrich announced the item and directed the Assistant City Clerk to read the Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Mr. Fletcher introduced the item.

Discussion took place regarding staff's revisions to the map in the Ordinance.

There was no public comment.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to approve Ordinance No. 2022-01 as presented. The motion carried on the following voice vote:

Yes: 3 - Vice Mayor Langdon, Commissioner Luke and Commissioner White

No: 2 - Mayor Emrich and Commissioner McDowell

Commissioner McDowell dissented as a matter of principle due to the Ordinance being non-emergency in nature, and was not heard in the evening.

Mayor Emrich agreed with Commissioner McDowell's dissention.

RESOLUTION - Second Reading:

D. [RES. NO. 2022-R-06](#)

A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2021-2022 for Warm Mineral Springs Building Rehabilitation Project WM19BR in the Amount of \$1,610,261, for Myakkahatchee Creek Greenway Project P10MCG in the Amount of \$217,390 and for Building Division Online Permitting Software Project BD22OP in the Amount of \$2,022,940; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Emrich announced the item and directed the Assistant City Clerk to read the Resolution by title only.

Ms. Jianelli read the Resolution by title only.

Mr. Fletcher introduced the item.

There were no Commission questions.

There was no public comment.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to approve Resolution No. 2022-R-06 as presented. The motion carried on the following voice vote:

Yes: 3 - Vice Mayor Langdon, Commissioner Luke and Commissioner White

No: 2 - Mayor Emrich and Commissioner McDowell

Commissioner McDowell dissented due to the Resolution being a non-emergency item.

Mayor Emrich agreed with Commissioner McDowell's dissention.

6. GENERAL BUSINESS:

A. [22-2023](#) Discussion and Possible Action Regarding the Draft Concept Plan for the New Armed Forces Memorial Park and Naming the Park.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Mr. Nelson provided an overview including the process of determining the name list and conceptual design plan.

Discussion took place regarding the purpose of the semi-circle wall, walkway material, amenities to be included, Private First Class Dan Bullock, commending the Veterans Park Advisory Committee (VPAC), raised seating concept, shade options, element of reflection, obelisk design, phasing in additions and amenities, donations from veterans organizations, fundraising opportunities, memorial pavers and bricks, VPAC and North Port High School's recommendations for the name, including U.S. Merchant Marines and first responders in the park, determination of the park name to be VPAC-driven, installing a water feature along the wall, submitting the final design to a developer, leaving "North Port" out of the name, and veteran organizations submitting their top three choices.

Public Comment:

Chuck English: VPAC's vision of the park, American Disability Act (ADA) compliance, maintain the natural serenity, and adding a sensory element.

Mr. Nelson spoke to bringing the VPAC's top three choices back to Commission and adding detail to the conceptual design plan for Commission approval.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to accept the conceptual draft of the Veterans Memorial Park and direct the task force to select the top three names and bring back for discussion and possible selection by the Commission at a future date.

Discussion took place regarding fine tuning the conceptual plan.

The motion carried on the following voice vote:

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner White and Commissioner McDowell

A motion was made by Commissioner McDowell, seconded by Vice Mayor Langdon, to give the Veterans Park Advisory Committee the task of fine tuning the conceptual plan and bring back to Commission.

Discussion took place regarding VPAC's recommendations on shading the area and adding sensory elements to the plan, technicality of fine tuning the draft plan, VPAC providing a list of amenity recommendations to Commission, and leaving landscaping ideas broad.

The motion carried on the following voice vote:

Yes: 3 - Mayor Emrich, Commissioner White and Commissioner McDowell

No: 2 - Vice Mayor Langdon and Commissioner Luke

Commissioner Luke dissented due to her belief that the VPAC should not be taxed with making detailed plans.

Vice Mayor Langdon dissented due to her belief that requesting the VPAC bring back a list of ideas regarding shading the area and adding sensory elements are considered the definition of details.

Recess was taken from 11:15 a.m. until 11:30 a.m.

B. [22-2203](#)

Discussion and Possible Action Regarding Recommendations for Revisions to North Port City Code Chapter 59-16 Regarding Parking and Storage of Vehicles on Residential Lots

Mayor Emrich announced the item.

Commissioner Luke spoke to staff preparing the item and providing eight recommendations, removing the 6th recommendation from the item, adding a recommendation regarding camping to the item, and the process of reviewing the recommendations.

Discussion took place regarding the reason for changing the definition of "storage" from five days to three days, clarifying the definition to include "right-of-way", differences between parking vs. storing, changing storage on residential lots, allowing motor vehicles only to be stored in the right-of-way, definition of "motor vehicle", storage in swales, specifying motor vehicle storage to include "registered", and current language in the City Code pertaining to storing vehicles and boats in the right-of-way.

There was consensus to have staff redefine the definition of "storage" separating right-of-way versus private property throughout the definition and the City Code.

Discussion continued regarding misinterpretations of "80% opaque" in (c)(1), specifying material options for achieving opacity, subsection (c) applying to private property containing three or more adjacent lots, and how to keep 80% of a vehicle from view.

Ms. Slayton spoke to opacity percentage being difficult to measure and enforce, and recommended specifying the types of screening instead to allow for easier enforcement.

Mr. Raducci explained that Code Enforcement determines violations based on street view only, recommended including verbiage stating "not visible from the street", stated that as long as most of the vehicle is obscured from view from the street, there is no violation, and answered questions regarding the average number of storage violation complaints received, the biggest complaint being unregistered derelict vehicles in the right-of-way, and the violation process.

Discussion continued regarding possible issues with 100% screening from street view, number of allowed parked and/or stored motor vehicles on one lot, storing derelict vehicles on a private lot, removing tarp from screening material options, allowing residents leeway in parking vehicles on private property, upholding property standards, and keeping an opacity percentage in the language.

Mr. Raducci spoke to encounters Code Enforcement Inspectors are having with violators.

There was consensus to have staff come up with new language relating to subsection (c)(1) to be able to use a tarp, landscaping, or fencing.

Discussion continued regarding in front yard concealing house numbers, parking cars within 2 feet of the house, if gravel would be allowed, verbiage in the Code, definition of front of the house, cannot block access to the front door

Discussion continued regarding subsection (c)(2) pertaining to parked vehicles concealing a residence's front door and/or house number, pre-existing driveways, neighborhood property standards, parking cars in the front yard, improved and unimproved surfaces in the front yard, and definition of "front yard".

There was consensus to have staff reword subsection (c)(2) to ensure the front door of the residence is not blocked.

Discussion continued regarding lowering the number of tarped unregistered/unlicensed vehicles from two to one in subsection (c)(3).

There was consensus to reduce the number of tarped unregistered and/or unlicensed vehicles on a residential lot from two to one.

Discussion continued regarding unregistered vehicles being in the right-of-way, process of removing the vehicle, and the time frame North Port Police has to remove the vehicle.

There was consensus to direct staff to come back with new language to have no unregistered vehicles parked or stored in the City's right-of-way.

Discussion continued regarding subsections (c)(3) and (c)(4) being combined, striking subsection (c)(6) and placing it in the camping section of the Code, if the parking Ordinance and camping Ordinance will be brought back simultaneously, and potential issues with removing the camping subsection from parking before the camping Ordinance is adopted.

Ms. Slayton spoke to staff handling the Ordinances in the proper order.

Ms. Bellia spoke to using caution when making changes to the camping Ordinance, and recommended conducting a Commission workshop to address the Ordinances simultaneously.

Discussion continued regarding the Ordinances being separate, the parking Ordinance affecting the camping Ordinance, addressing in the parking Ordinance to not allow living in recreational vehicles (RVs) that are parked on principal structures or private property, and allowing staff the flexibility of bringing the Ordinances back at the applicable time.

There was consensus to remove subsection (h) so that it can be placed within the camping Ordinance to be done at an applicable time in coordination with the camping Ordinance.

Discussion continued regarding better defining subsection (f)(5), keeping the definition of "storage" consistent throughout the Chapter, the differences between "swale right-of-way" and "public right-of-way", and cleaning up the Code regarding "right-of-way".

There was consensus to direct staff to clean up the usage of "swale right-of-way" and "public right-of-way" for consistency.

Discussion continued regarding City Code being geared toward single-family residential lots, the need to address parking in the right-of-way in commercial zones, the parking violation letter specifying residential Code, and creating a subsection that is specific to commercial zones.

There was consensus to direct staff to come back with new language to include both residential and commercial rights-of-way.

Ms. Jianelli read the following e-comment into the record:

Anonymous: opposes revising subsection (c)(2) of the Chapter

PUBLIC COMMENT:

Timothy Doyle: opposes changes to storage days, opacity, and front door and/or house number from street view, and spoke to unregistered vehicle violations

Jeffrey Scott: obscurity of the parking and camping Ordinances

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to have staff follow the consensus that were made on the topic of property standards and bring back to Commission at a later time.

Discussion took place regarding on what form staff will bring the topic back for discussion.

Commissioner Luke withdrew her motion. Commissioner McDowell withdrew her second.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to direct staff to come back at a later time with a first reading draft Ordinance for the update to property standards as discussed. The motion carried on the following voice vote:

Yes: 5 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke, Commissioner White and Commissioner McDowell

7. PUBLIC COMMENT:

Timothy Doyle: swales, Tax Collector's Office, delivery truck parking, and widening Price Boulevard

Discussion took place regarding the Tax Collector's Office being a separate entity and the City Manager speaking with Mr. Doyle regarding the Tax Collector's Office.

8. COMMISSION COMMUNICATIONS:

Commissioner McDowell reported on Chamber of Government meeting and Servant Leadership conference.

Commissioner White reported on Charlotte Harbor National Estuary Program event, currently working on her monthly report, construction sites not having dumpsters, and commended Public Works for properly trimming trees on Salford Boulevard.

Vice Mayor Langdon reported on commending the Facilities Department for their assistance and lunch conference with County Commissioner Maio.

Commissioner Luke reported on meeting with Commissioner Maio, Strategic Government Relations conference, North Port's farmer's market, City-wide yard sale, and the ribbon cutting at New York Life.

Mayor Emrich reported on Mr. Ives' 100th birthday celebration.

9. ADMINISTRATIVE AND LEGAL REPORTS:

There were no reports by the Charter Officers.

10. ADJOURNMENT:

Mayor Emrich adjourned the meeting at 1:12 p.m.

City of North Port, Florida

By: _____
Pete Emrich, Mayor

Attest: _____
Heather Taylor, City Clerk

These minutes were approved on the ____ day of _____, 20__.