



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, May 24, 2022

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor Emrich called the meeting to order at 6:00 p.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, Fire Chief Scott Titus, Police Chief Todd Garrison, Planner III Carl Bengé, Assistant City Manager Julie Bellia, Neighborhood Development Services Director Alaina Ray, Social Services Manager Janet Carrillo, and Assistant Parks and Recreation Director Tricia Wisner

PLEDGE OF ALLEGIANCE

A moment of silence took place for Father Patrick Organ with San Pedro Catholic Church.

The Pledge of Allegiance was led by Vice Mayor Barbara Langdon.

1. APPROVAL OF AGENDA

Discussion took place regarding reordering the agenda.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Agenda as amended to hear Item No. 22-2924 prior to Ordinance No. 2022-12. The motion carried on the following vote:

Yes: 4 - Mayor Emrich, Commissioner Luke, Commissioner White and Commissioner McDowell

No: 1 - Vice Mayor Langdon

Vice Mayor Langdon dissented due to her belief that reordering the agenda was not necessary.

2. PUBLIC COMMENT:

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

Edie Driest: expressed support in environmental conservation.

PUBLIC COMMENT:

Matt Ackerson: expressed opposition in the Village District Pattern Book for Gran Paradiso.

Shawn Whitty: expressed opposition in the Village District Pattern Book for Gran Paradiso.

Angela Gaertner: expressed opposition in the Village District Pattern Book for Gran Paradiso.

Jeffrey Scott: Government transparency and public trust.

Valdy Olender: Code of Silence, Oath of Office, organizational chart, City Charter, and taxation.

3. ANNOUNCEMENTS

- A. [22-2932](#) 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 no items were pulled from the Consent Agenda for discussion.

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

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

- A. [22-2794](#) Approve the Interlocal Agreement for Community Development Block Grant Program with Sarasota County for Fiscal Years 2023, 2024 and 2025

This item was approved on the Consent Agenda.

- B. [22-2819](#) Approval of Melissa Winter as a Regular Member of the Planning and Zoning Advisory Board to Serve a Four-Year Term from May 24, 2022, to May 24, 2026.

This item was approved on the Consent Agenda.

- C. [22-2823](#) Memorandum of Understanding Between the Sarasota County Public Hospital District d/b/a Sarasota Memorial Health Care Center & ER at North Port and Sarasota Memorial Health Care System and the City of North Port Fire Rescue District Addressing Air Traffic Patterns for Heliports.

This item was approved on the Consent Agenda.

- D. [22-2927](#) Approval of Minutes for the April 26, 2022 City Commission Regular Meeting

This item was approved on the Consent Agenda.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [22-2856](#) Presentation by the Environmental Conservancy of North Port

Mayor Emrich announced the item.

Barbara Lockhart, Environmental Conservancy of North Port, provided a presentation including Who are we, What do we do and where, local native tree canopy , protecting homes of wildlife, saving local flora, woods in the neighborhood, clear cutting for development, replanting, wildlife being displaced, conservation efforts, natural landscape, overview of acquired lots, donations, double lot acquisitions, Go Fund Me Campaign, surrounding areas, summary and takeaway, and how can you help.

Discussion took place regarding gratitude for the organization's efforts, Tree Fund donations, creating a relocation habitat for gopher tortoises and scrub-jays, experimental relocation efforts, and partnerships with State and Federal conservation agencies.

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

John SanVicente: expressed support in environmental conservancy.

6. PUBLIC HEARINGS:

PETITION:

- A. [CC](#)
[PLF-22-028](#) Consideration of Petition No. PLF-22-028, Manasota Beach Ranchlands Plat No. 2 Final Plat (QUASI-JUDICIAL)

Mayor Emrich announced the item, stated this is a quasi-judicial hearing, and opened the public hearing.

Ms. Jianelli read the petition title and swore in those wishing to provide testimony.

There were no ex-parte communications.

Ms. Jianelli noted there were no aggrieved parties.

John Luczynski, Senior Vice President of Wellen Park, LLC, being duly sworn, provided a presentation including site size, proposed land use, and on-site ponds.

Mr. Bengé, being duly sworn, provided a presentation including plat, drainage, easements, site size and location, approval by City surveyor, and staff recommendation.

There was no rebuttal by Applicant or Staff.

There was no public comment.

There were no Commission questions or comments.

There was no closing argument by Staff or Applicant.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner Luke, to approve Petition No. PLF-22-028 as presented and find that, based on the competent substantial evidence, the Manasota Beach Ranchlands Plat No. 2 Final Plat complies with the Unified Land Development Code and Florida Statutes Chapter 177. The motion carried on the following vote:

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

ORDINANCE - SECOND READING:

- B.** [ORD. NO. 2022-04](#) An Ordinance of the City of North Port, Florida, Adopting a Redistricting Plan for the City's Five City Commission Districts in Accordance with Section 2.02 of the Charter of the City of North Port; Amending Sections 2-2 and 2-3 of the Code of the City of North Port, Florida to Provide for the Approved Redistricting Map and Legal Descriptions; Providing for Findings; 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 read the Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Mr. Fletcher introduced the item.

There were no Commission questions or comments.

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 approve Ordinance No. 2022-04 as presented. The motion carried on the following vote:

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

7. GENERAL BUSINESS:

- E. [22-2924](#) Discussion and Possible Action Regarding Regulations and Permitting Requirements for the Protection of the Florida Scrub Jays.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Ms. Bellia spoke to the previous Commission directives, updating the Unified Land Development Code (ULDC), citizen-organized surveys, habitat map update, legal review, implementation options, required code amendments, current nesting season, and required surveys.

Discussion took place regarding alternate options for the current nesting season, anticipated process timeline, and due diligence.

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

Robin SanVicente: expressed gratitude to Commission and Staff.

PUBLIC COMMENT:

Phil Stokes: expressed support for protecting scrub-jay habitats.

ORDINANCE - SECOND READING continued

- C. [ORD. NO. 2022-12](#) An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to be Placed Before the Qualified Voters of the City of North Port, Florida at the November 8, 2022 General Election; Providing a Referendum Question Determining Whether to Finance the Price Boulevard Widening Project Through the Issuance of Bonds Payable from One-Cent Sales Tax Proceeds; Providing for Findings; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; 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 Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Mr. Fletcher introduced the item.

There were no Commission questions or comments.

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. 2022-12 as presented. The motion carried on the following

vote:

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

D. [ORD. NO. 2022-13](#)

An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to be Placed Before the Qualified Electors of the City of North Port, Florida at the November 8, 2022 General Election; Providing a Referendum Question Determining Whether to Amend the City Charter to Direct the City Manager to Sign All Contracts and Allow the City Commission to Grant the City Manager Authority to Enter into Certain Contracts Without Prior Commission Approval, and to Establish Conditions for that Authority, such as Financial Limits; Providing for the Full Test of the Proposed Charter Amendment; Providing Findings; Providing for an Effective Date for the New Charter Language if the Proposed Charter Amendment is Approved; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; Providing for Publication of the Test of the Proposed Charter Amendment; Providing for Filing with the Florida Department of State if the Proposed Charter Amendment is Approved; 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 Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Ms. Slayton introduced the item.

Commissioner McDowell spoke to a memorandum provided by the Charter Review Advisory Board regarding cons including potential for abuse and lack of transparency to the public, Commission's role in checks and balances, and stated she would not support the Ordinance.

PUBLIC COMMENT:

Jeffrey Scott: language within the City Charter regarding Commission's and Charter Officers' duties and responsibilities

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. 2022-13 as presented.

Discussion took place regarding setting parameters for contracts and financial limits.

The motion carried on the following vote:

Yes: 4 - Mayor Emrich, Vice Mayor Langdon, Commissioner Luke and Commissioner White

No: 1 - Commissioner McDowell

Commissioner McDowell dissented for reasons stated.

RESOLUTION - SECOND READING:

- E. [RES. NO. 2022-R-27](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-2022 for Payments Pursuant to the West Villages Developer Agreement (Post Annexation) in the amount of \$1,637,195; 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 or comments.

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 approve Resolution No. 2022-R-27 as presented. The motion carried on the following vote:

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

Recess was taken from 7:26 p.m. until 7:45 p.m.

RESOLUTION:

- F. [RES. NO. 2022-R-30](#) A Resolution of the City Commission of the City of North Port, Florida, Authorizing the Conveyance of Real Property Located Along the Northeast Entrance Roadway to the City of North Port Southwest Wastewater Reclamation Facility and Described as a Portion of the Tract of Land Lying in Section 33, Township 39 South, Range 20 East, Sarasota County Property Appraiser Parcel Identification Number 0786002200; Providing for Filing of Documents; 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 or comments.

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-30 as presented. The motion carried on the following vote:

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

- G.** [RES. NO. 2022-R-34](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting a Permanent Utility Easement on a Portion of Property Lying in Sections 21 & 22, Township 39 South, Range 21 East, Sarasota County Florida, Property Appraiser Parcel Identification Number 0979110001; Providing for Incorporation of Recitals; Providing for Filing of Documents; 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 or comments.

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 Resolution No. 2022-R-34 as presented. The motion carried on the following vote:

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

- H.** [RES. NO. 2022-R-35](#) A Resolution of the City of North Port, Florida, Authorizing the City Commission to Participate in a Joint Meeting with the Charlotte County Commission to Receive, Discuss, and Act Upon Matters of Mutual Interest; Incorporating Recitals; 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 and introduced the item.

Discussion took place regarding discussion topics and providing briefing memoranda at the joint meeting.

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 approve Resolution No. 2022-R-35 as presented. The motion carried on the

following vote:

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

7. GENERAL BUSINESS continued

- A.** [22-2937](#) Discussion and Possible Action to Request the City Attorney and the Attorney General's Office to Conduct a Written Opinion to Interpret Florida State Statute Chapter 286 With Regard to Public Notice Requirements for Commission Retreats

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

Discussion took place regarding public noticing of Commission retreats.

Commissioner Luke read her prepared statement and stated she would not support the item.

Discussion ensued regarding setting parameters, reason for retreats, scheduling a workshop, and maintaining transparency.

Ms. Slayton spoke to the legalities of the retreat being a workshop, Commission Policy No. 2021-05 regarding Commission meeting schedules, notices, and agendas, and amending the Policy.

A motion was made by Commissioner McDowell to direct the City Attorney to complete the process and all paperwork necessary to seek the Attorney General's opinion relating to Commission retreats as it relates to Florida Statutes Chapter 286 commonly referred to as the "Florida Open Meeting Law" as soon as possible. The motion failed for lack of second.

Discussion took place regarding scheduling a workshop or future agenda item.

Ms. Slayton spoke to the legalities of agenda item criteria and placing higher standards on retreats.

- B.** [22-2838](#) Discussion and Possible Action Regarding Expediting the Inclusion of a Property Standards Section in the Unified Land Development Code to Establish an Enforcement Mechanism for the Maintenance of Privately Owned Infrastructure to Include but Not Limited to Roads, Walls, and Stop Signs.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

Commission questions took place regarding including landscape maintenance in the section.

Ms. Bellia answered questions regarding updating the Unified Land Development Code (ULDC), and spoke to staff's recommendation for the inclusion of residential and non-residential property maintenance standards in the ULDC.

Ms. Ray answered questions regarding the ULDC coinciding with City Code in relation to property maintenance standards.

Commission questions and discussion ensued regarding citing non-residential properties for violating property standards, repercussions for property owners failing to maintain stormwater ponds, pond inspections, rectifying Chapter 59 in the City Code and ULDC, timeline for updating the property maintenance standards, International Property Maintenance Code for commercial properties, and staff's diligence on preparing the ULDC rewrite.

There was no public comment.

Ms. Ray spoke to providing finalized timelines, applications, and processes and approximation for a first reading Ordinance after the August break.

There was consensus to direct staff to bring back a first reading of the International Property Maintenance Code and anything else staff deems appropriate to be placed in the first reading after the August break.

C. [22-2916](#)

Discussion and Possible Action Regarding Designation of a Voting Delegate for the Annual Business Session of the Annual Florida League of Cities Conference

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Discussion took place regarding voting delegate protocol.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to nominate Mayor Emrich as the voting delegate for the Annual Business Session of the Annual Florida League of Cities Conference. The motion carried on the following vote:

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

D. [22-2921](#)

Discussion and Possible Action Regarding the Approval of the 2022 Strategic Plan Pillars and Priorities.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Discussion took place regarding including unranked priorities and Commissioner recommendations for priorities and indicators.

There was consensus to add "and include Activity Center 6 in the urban service boundary" in Priority 4, page 8, through a Comprehensive Plan change.

Ms. Wisner spoke to the differences between a trail access and a trailhead.

Discussion took place regarding changing the date of the ULDC update to October 2023 in Indicator 9.1 on page 9.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the North Port Strategic Vision Plan for years 2022-2025 outlining the vision statement, mission statement, organizational values, pillars, and priorities of each pillar, including the consensus given. The motion carried on the following vote:

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

8. PUBLIC COMMENT:

There was no public comment.

9. COMMISSION COMMUNICATIONS:

- A. [22-2486](#) Mayor Emrich's Report
Mayor Emrich had nothing to report.
- B. [22-2487](#) Vice Mayor Langdon's Report
Vice Mayor Langdon reported on events and meetings attended.
- C. [22-2488](#) Commissioner Luke's Report
Commissioner Luke reported on events and meetings attended.
- D. [22-2489](#) Commissioner McDowell's Report
Commissioner McDowell reported on events and meetings attended.
- E. [22-2490](#) Commissioner White's Report
Commissioner White reported on events and meetings attended.

10. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [22-2802](#) City Manager Report
Mr. Fletcher had nothing to report.
- B. [22-2857](#) City Attorney Report
Ms. Slayton had nothing to report.
- C. [22-2922](#) City Clerk Monthly Status Report

Ms. Jianelli had nothing to report.

11. ADJOURNMENT:

Mayor Emrich adjourned the meeting at 9:37 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 ____.