



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Jill Luke, Mayor

Pete Emrich, Vice Mayor

Barbara Langdon, Commissioner

Debbie McDowell, Commissioner

Alice White, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager

Amber L. Slayton, City Attorney

Heather Taylor, City Clerk

Tuesday, October 26, 2021

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor Luke called the meeting to order at 6:00 p.m.

ROLL CALL

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

Also Present

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Taylor, Recording Secretary Amanda Baker, Fire Division Chief Nick Herlihy, Deputy Police Chief Chris Morales, Planner III Rhea Lopes, and Interim Planning and Zoning Division Manager Alison Christie

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by North Port Police Sgt. Scott Smith.

1. APPROVAL OF AGENDA

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to approve the Agenda, removing Ordinance No. 2021-26 in its entirety. The motion carried on the following vote:

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

2. PUBLIC COMMENT:

Ms. Taylor read the following e-comments into the record:

David Iannotti: opposes Waiver #10 of DMP-21-158 Woodlands Development

Barbara Lockhart: opposes Waiver #10 of DMP-21-158 Woodlands Development

PUBLIC COMMENT:

Jeffrey Scott: public comment opportunities at Commission meetings

Joan Morgan: welcomed Mr. Fletcher, various past/upcoming City events, supports North Port Police Department, and Surtax

Valdy Olender: welcome public to Commission meetings, City Charter preamble, and City budget

Ms. Taylor read the following e-comment regarding Ordinance No. 2021-26 into the record:

Barbara Lockhart: land conservation

3. ANNOUNCEMENTS

- A. [21-1705](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees

Ms. Taylor read the announcements into the record.

4. CONSENT AGENDA:

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

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

- A. [21-1512](#) Accept the Cash Receipts Summary Report for August 2021.

This item was approved on the Consent Agenda.

- B. [21-1546](#) Approval of a Collective Bargaining Agreement Between the City of North Port and the Southwest Florida Police Benevolent Association, Inc. for the Period of October 1, 2021, to September 30, 2024.

This item was approved on the Consent Agenda.

- C. [21-1563](#) Approve the Memorandum of Understanding for Participation in the Finder Data Sharing Network (Florida - Query Only) between Finder Software Solutions, LLC and the City of North Port, at an Annual Cost of \$2,500.

This item was approved on the Consent Agenda.

- D. [21-1625](#) Approve Utilization of Lake County, FL Contract 17-0606B for Fire Equipment Parts, Supplies and Services on an As-Required Basis from Bennett Fire Products Company, Inc. for the purchase of fire and EMS personal Protective Equipment Based on the Fiscal Year 2021-2022 Estimated Budgeted Amount of \$158,360.00.

This item was approved on the Consent Agenda.

- E. [21-1665](#) Approval of Minutes for the September 23, 2021 Commission Special Meeting, September 28, 2021 Commission Regular Meeting, and October 7, 2021 Regular Meeting

This item was approved on the Consent Agenda.

- F. [21-1689](#) Approve the Amended and Restated Memorandum of Understanding Regarding Composition, Terms of Appointment, Vacancies, and Chairmanship of the Joint Management Advisory Board (JMAB) for the North Port Performing Arts Center

This item was approved on the Consent Agenda.

- G. [21-1510](#) Approve Payment Services Addendum to Vermont Systems, Inc. Software License, Maintenance, and Support Agreement to Implement the PayTrac Credit Card Processing Solution for the Parks & Recreation Department.

This item was approved on the Consent Agenda.

- H. [CC](#)
[CTA-21-290](#) Approve Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Tracts 600 and 700 of the Plat of Tortuga.

This item was approved on the Consent Agenda.

- I. [CC](#)
[SAP-21-248](#) Award Funds from the Special Event Assistance Program in the Amount of \$209.10 to the Rotary Club of North Port Foundation Inc., to Cover the Costs of City Fees and Resources for the Rotary Car Show Fundraiser Event to be held on November 20, 2021.

This item was approved on the Consent Agenda.

- J. [21-1550](#) Approve the Termination of the Merchant Processing Agreement Application and Fee Schedule with Automated Merchant Services, Inc. for Credit Card Processing Services Utilized by the Parks & Recreation Department.

This item was approved on the Consent Agenda.

5. PUBLIC HEARINGS:

PETITION:

- A. [CC](#)
[DMP-21-158](#) Development Master Plan, Woodlands Parcel D, DMP-21-158 Located North of Panacea Boulevard, West of Plantation Boulevard, and South of I-75 (QUASI-JUDICIAL).

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

Ms. Taylor read the Petition title and swore in those wishing to provide testimony.

Commissioner McDowell disclosed an e-mail requesting the traffic impact analysis, residential development limitations to the Panacea Development of Regional Impact (DRI), copy of Map H, and the minutes from the neighborhood meeting, and forwarded the response to the City Clerk for the record, and an e-mail received from a citizen copied to the City Clerk for the record.

Commissioner White did not have any ex-parte communications.

Mayor Luke disclosed an e-mail from David Iannotti copied to the City Clerk for the record, and requested information from staff regarding how much of Activity Center 4 had been designated residential.

Vice Mayor Emrich and Commissioner Langdon did not have any ex-parte communications.

Ms. Taylor noted there were no aggrieved parties.

Strickland Smith, Civil Engineer Heidt Design, LLC, being duly sworn, provided a presentation including location map, site size, proposed land use, number of units, requested waivers, and land use of Activity Center 4.

Ms. Lopes, being duly sworn, provided a presentation including land use of Activity Center 4, number of units, site size, access points, requested waivers, noticing requirements, proposed units, consistency with the Unified Land Development Code (ULDC) and Comprehensive Plan, Planning and Zoning Advisory Board (PZAB) recommendations, and staff recommendations.

There was no rebuttal by the applicant or staff.

Ms. Taylor stated there was no public comment.

Commission questions took place regarding traffic impact for left turn lanes at both access points, developers' responsibility for infrastructure, traffic signals at the access points, waiver #1 regarding lighting around the community center, development community center hours of operation, waivers #6 and #7 regarding the multi-modal pathways, waiver #2 regarding square footage and lot width, green spaces including wetlands and retention ponds, park requirements, if park is defined in the ULDC, explanation of the term "age-targeted", percentage of tree canopy within the development, determining density, waiver #4 regarding lot coverage within setbacks explanation, walking trails around the wetlands and storm water ponds, and explanation of housing types.

There were no closing arguments by staff or the applicant.

Mayor Luke closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to approve DMP-21-158 with the following waivers and conditions, and find that, based on the competent substantial evidence, the Development Master Plan meets the standards in Section 53-7 of the Unified Land Development Code (ULDC):

Conditions:

- 1. Before Florida Department of Environmental Protection (FDEP) permits will be signed, North Port Utilities requires the following:**
 - a. Four complete sets of DEP permit applications (water and sewer) and four sets of construction plans both sets of items shall be signed and sealed by the engineer of record.**
 - b. One engineer certified (sealed) estimate for the cost of utility construction.**
 - c. A check for the Utility Construction Inspection Fee. The fee shall be 6.5% of the utility construction costs for projects \$0 to \$2 million, plus 2.5% of utility construction cost over \$2 million. The minimum fee is \$250.00.**
- 2. Prior to commencement of utility site construction, three copies of shop drawings plus any copies required by the applicant shall be submitted to the Utility Department for review and approval.**
- 3. Irrigation systems shall be designed and constructed to meet reuse standards.**
- 4. Prior to utility site construction the Development Order, Department of Environmental Protection Permit and Development of Health Permit shall be posted at the project site and provided at the preconstruction meeting.**
- 5. A developer agreement shall be negotiated with the utility department and approved by the Utility Director and City Staff prior to DEP or DOH permits being signed and released.**
- 6. The stormwater management system design and floodplain impact/compensation analysis must meet all state and local regulations in the later infrastructure (INF) application.**

Waivers:

- 1: Allow for an average of 0.40 foot candles (FC) for sidewalk areas adjacent to roadways and the elimination of lighting requirements for sidewalks at the amenity center.**
- 2: Allow for a minimum lot area of 4600 square feet (SF).**
- 3: Allow for a minimum lot frontage of 40 linear feet (LF) for single-family detached and 30 LF for single family attached.**
- 4: Allow for a maximum lot coverage of 55%.**
- 5: Allow for pavers and stamped concrete only at the project entrances on Panacea Boulevard and Plantation Boulevard.**
- 6: Allow for a 10-foot (FT) wide multimodal pathway to be constructed on one side of the entrance roads only.**
- 7: Allow for a 10 FT wide multimodal pathway to be constructed on one side of the entrance roads only.**
- 8: Allow for architectural standards similar to those illustrated in the exhibits submitted.**
- 9: Allow for site furniture standards similar to those illustrated in the exhibits submitted.**
- 10: Allow for a +/- 3.0 AC amenity campus, a +/- 0.15 AC dog park as well as enhanced landscaping throughout the community in lieu of this requirement.**
- 11: Allow for a fence or wall with a maximum height of 12 FT along I-75.**
- 12: Allow for a 50 FT right of way for local guttered streets.**

Commissioner McDowell stated she cannot approve the motion based on Waiver #1 not installing sidewalk lighting at the community center, Waiver #4 to reduce minimum lot coverage, and Waiver #10.

Commissioner White stated she cannot support the motion based on Waiver #2 regarding reducing the lot area and Waiver #10 not having a park in the project.

Discussion continued regarding concerns including lighting at the community center and a lit path that provides a passive park for the residents.

The motion carried on the following vote:

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

No: 2 - Commissioner McDowell and Commissioner White

Commissioner McDowell and Commissioner White dissented for reasons stated.

ORDINANCE - Second Reading:

- B.** [ORD. NO. 2021-26](#) An Ordinance of the City of North Port, Adopting City Commission Policy No. 2021-08 Related to the Inventory, Disposal, and Acquisition of Real Property; Providing for Findings; Providing for Conflicts, Providing for Severability; and Providing an Effective Date

This item was pulled from the Agenda.

- C.** [ORD. NO. 2021-40](#) An Ordinance of the City of North Port, Florida, Providing for the Levy and Collection of a Public Service Tax on the Purchase of Electricity Within the City; Providing for Findings; Providing for Exemptions: Providing for Recordkeeping; Providing for Violations and Penalties; Providing for Enforcement: Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

Ms. Taylor read the Ordinance by title only.

Mr. Fletcher introduced the item.

There was no discussion.

PUBLIC COMMENT:

Jeffrey Scott: opposes public service tax increase

Mayor closed public hearing and requested a motion.

A motion was made by Commission Langdon, seconded by Vice Mayor Emrich, to approve Ordinance No. 2021-40 as presented. The motion carried on the following vote:

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

- D. [ORD. NO. 2021-41](#) An Ordinance of the City of North Port, Florida, Repealing Section 42-22(c) of the Code of the City of North Port, Florida, Relating to Impinging Growth on an Abutting Lot; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

Ms. Taylor read the Ordinance by title only.

Mr. Fletcher introduced the item.

There was no discussion.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve Ordinance No. 2021-41 as presented. The motion carried on the following vote:

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

RESOLUTION:

- E. [RES. NO. 2021-R-50](#) A Resolution of the City Commission of the City of North Port, Florida, Amending Resolution No. 2021-R-27 to Extend the Duration of the Temporary Reduction to the Special Event Submission Deadline, Providing for Incorporation of Recitals, Providing for Duration, Providing for Conflicts, Providing for Severability, and Providing an Effective Date.

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

Ms. Taylor read the Resolution by title only.

Mr. Fletcher introduced the item.

Discussion took place regarding extending the duration to June 1.

Ms. Slayton stated the legal review has been completed and there is no need for the date extension.

Discussion took place regarding the resolution only pertaining to changing the 60-day requirement to 30-day requirement for special event submission deadlines.

There was no public comment.

Mayor Luke closed public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve Resolution No. 2021-R-50 as presented. The motion carried on the

following vote:

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

6. GENERAL BUSINESS:

A. [21-1690](#) Discussion and Possible Action Regarding Suggested Agenda Items for the 2022 Convocation of Governments Based on the Interlocal Agreement for School Facility Planning

Mayor Luke announced the item.

Mr. Fletcher introduced the item.

Discussion took place regarding future school needs in North Port, reviewing the previous minutes, creating a partnership with the school board to promote internships in City government, City government recruiting at college/career night at the schools, status of City-wide student enrollment, location of a future high school, conducting a demographic analysis for future high school students, and updates regarding the traffic lights at the entrance of the high school and middle school.

Mr. Speake spoke to the project moving forward and funding.

Discussion took place regarding the school board's decision being time-limited, providing footage of the traffic to the school board to show the necessity of the traffic light, and expanding Sarasota County Technical Institute (SCTI).

There was consensus to add update on future school needs in North Port.

There was consensus to add discussion for partnership on trades and internships for high school and higher education levels.

There was consensus to add request to be included in college and career night.

There was consensus to add update on upcoming School referendum in the Spring.

There was consensus to add update on the Sarasota County Technical Institute (SCTI) expansion plans/phases for the North Port Campus.

There was consensus to add discussion regarding installation of a traffic light at the high school and middle school entrances.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to direct the City Manager to send a letter to the Sarasota County School Board with the six consensuses given as topics of discussion for the upcoming Convocation of Governments. The motion carried on the following vote:

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

Discussion took place regarding inviting the school board to City Hall.

B. [21-1709](#) Discussion and Possible Action Regarding Potential Partnership Contract with North Port Chamber of Commerce for Use of Logos in Advertising and Promotion

Mayor Luke introduced the item.

Discussion took place regarding extending the term limit from one year to three years, using the Chamber of Commerce building as a Welcome Center for the City, removing the Cocoplum Paddle-A-Thon and Firecracker 5k from Sponsorship Terms, and adding the Easter egg hunt.

Ms. Slayton spoke to updating the signature events and term limits once staff is directed to work with Chamber of Commerce on updating the contract.

Discussion took place regarding specific events, the partnership between the Chamber of Commerce and City government, the Welcome Center being strictly for Chamber members, and if the City is a member of the Chamber of Commerce.

Ms. Slayton spoke to staff having the leeway to draft an appropriate contract.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to direct staff to draft and bring back for Commission approval a partnership contract with the Chamber of Commerce for use of logos in advertising and promotions, and taking Commission discussion into consideration. The motion carried on the following vote:

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

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

Commissioner McDowell reported on the North Port Government and You class, Chamber luncheon, Neighborhood Development Services (NDS) ribbon cutting, Heron Creek foundation luncheon, and expressed gratitude to the North Port Police Department.

Commissioner White reported on the Tour de North Port event and North Port Fire Rescue winning the chili cookoff.

Vice Mayor Emrich reported on the Chamber luncheon, Heron Creek foundation luncheon, and expressed support for the North Port Police Department.

Commissioner Langdon reported on the Tour de North Port event, Taste of North Port event, Heron Creek foundation luncheon, Chamber luncheon, NDS ribbon cutting, and expressed support for the North Port Police Department.

Mayor Luke reported on the Economic Development Corporation (EDC) meetings, Chamber luncheon, NDS ribbon cutting, Council of Governments (COG) meeting, "spooktacular" costume event, Sarasota County water quality meeting, Teen Court meeting, Surtax meeting, Chamber luncheon, Heron Creek foundation luncheon, Safe Place and Rape Crisis Center (SPARCC) event, Southern Technical College commencement speech, Pumpkin Plunge event, Tour de North Port event, North Port

High School orchestra, Taste of North Port, and expressed gratitude and support to the North Port Police Department.

9. ADMINISTRATIVE AND LEGAL REPORTS:**A. [21-1683](#) City Attorney Report**

Ms. Slayton did not have a report.

B. [21-1696](#) City Manager Report on Commission Directives

Mr. Fletcher reported on removing items from the Commission Directives list.

C. [21-1706](#) City Clerk Report

Ms. Taylor did not have a report.

10. ADJOURNMENT:

Mayor Luke adjourned the meeting at 8:32 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__.