



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Final City Commission Special Meeting

CITY COMMISSIONERS

Vanessa Carusone, Mayor
Linda M. Yates, Vice-Mayor
Christopher B. Hanks, Commissioner
Jill Luke, Commissioner
Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Peter Lear, City Manager
Amber L. Slayton, City Attorney
Patsy Adkins, City Clerk
Kathryn Peto, Deputy City Clerk

Thursday, June 7, 2018

1:00 PM

CITY COMMISSION CHAMBERS

MINUTES APPROVED AT THE 09-11-2018 MEETING.

CALL TO ORDER/ROLL CALL

The North Port City Commission Special Meeting was called to order at 1:08 p.m. in City Chambers by Vice-Mayor Yates.

Present: Vice-Mayor Yates; Commissioners, Hanks, Luke and McDowell, Assistant City Manager Branco; City Attorney Slayton; City Clerk Adkins; Deputy City Clerk Peto and Interim Police Chief Morales.

Absent: Mayor Carusone.

The Pledge of Allegiance was led by the Commission.

1. APPROVAL OF AGENDA – COMMISSION

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the Agenda as presented, and moving item 5.A. after 6.C. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

2. PUBLIC COMMENT:

There was no public comment.

3. WELCOME OF NEW EMPLOYEES:

A. [18-348](#) Acknowledgment of New Employee

Human Resources Director McDade introduced the City's newest employees in Finance, Fire and Rescue, Police Department, Public Utilities and Public Works.

4. PRESENTATIONS: 15 MINUTE TIME LIMIT

A. [18-386](#) Presentation by Bill Furst, Sarasota County Property Appraiser regarding Amendment I: Property Exemption

Sarasota County Property Appraiser Bill Furst gave a presentation of the item.

Discussion ensued: (1) projected revenue this year is \$14,000,000 and hypothetically with the third homestead exemption projected revenue would be \$13,200,000, which is up from \$12,500,000 from last year; (2) \$166,000,000 of new construction was completed last year in North Port, and is included in the \$14,000,000; (3) the taxable value of North Port for this year is \$4,131,537,604; (5) home value increases are not based on taxable value because fair market value is calculated differently; (6) if the second amendment fails at the ballot commercial taxes will increase, and this will impact renters and businesses. There was no public comment.

B. [18-384](#) Presentation by Sky Family YMCA

Sky Family YMCA Board Member Christine Robinson gave a PowerPoint presentation of the item.

Discussion ensued: (1) the building is estimated to have been built 75 years ago and has been used by the Charlotte County YMCA since the 1980s; (2) the building was used for multi-purposes including, health and wellness activities, and emergency management training; (3) the City owns the building and the agreement with YMCA provided that they were responsible for ongoing repairs and maintenance, and anything over \$5,000 is the City's responsibility; (4) Sarasota County provided subsidies for the Al Goll Center and the pool, they will no longer fund for the Center because it's not being utilized for its original intent; (5) the last renewal contract with Charlotte County was from 2010; (6) it was suggested the Commission be provided with a history of the building, including: [a] past contracts; [b] dates of occupancy for different uses; [c] date it become a childcare facility; [d] copies of quarterly inspections for the past five years; [e] copies of repairs, additions and renovations, including the pool area and the adjoining portable; (7) the YMCA had brought the portable in and are working on removing it because it can no longer be used due to the condition; (8) the City and County inspect the building quarterly, noted repairs are given to the YMCA to fix; (9) the former YMCA tenants did not complete repairs, Sky YMCA is taking much better care of the building now; (10) the whole complex needs to be addressed, including the YMCA, the unused portable, the Clothing Closet and down to the Art Center; (11) of the two preschools in Venice one is owned by the YMCA and the other is attached to PGT, investors don't want to help with the North Port location because it is not privately owned; (11) the Sky YMCA acquired two facilities in Port Charlotte and one in North Port in July 2017; (12) it was noted that there are citizens with funding to help with immediate needs, but not long term assistance; (13) it was suggested to have a complex to be utilized by the YMCA and the Boys and Girls Club; (14) a suggestion was made to have this item placed on the Agenda for discussion, and that the Sky YMCA share if they have any property or building funds. There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to have the City Manager place this item on the Agenda, of his choosing, before the Commission breaks in August. The motion carried by the following vote, with Mayor Carusone absent:

Yes: 4 - Vice-Mayor Yates, Commissioner Hanks, Commissioner McDowell and Commissioner Luke

C. [18-385](#) Presentation by Boys and Girls Club

Gene Matthews Boys and Girls Club, Director of Advancement Yolanda Mancha, Director of Programs and Services Roscelyn Guenther and Chair Jim Fendrick, gave a PowerPoint presentation of the item. It was noted they are having an open house June 21, 2018 at lunch and the Commission is invited to attend.

Discussion ensued: (1) a suggestion was made that the City Manager provide information regarding the status of Sarasota County creating a regional park in North Port; (2) the two youth groups (YMCA and the Boys and Girls Club) have different needs, but have the same goal. There was no public comment.

D. [18-306](#) Presentation of the annual report about a Music Suite Use Agreement for the North Port Performing Arts Center

North Port Performing Arts Association President, Barbara Johnson gave a presentation of the item.

Mayor Carusone joined the meeting at 2:38 p.m.

Discussion ensued: (1) tickets are available now and may be purchased online. There was no public comment.

E. [18-329](#) General Services, Information Technology Division Presentation

Information Technology Manager Kasson provided a PowerPoint presentation of the item.

City Attorney Slayton left the meeting and Assistant City Attorney Golen joined the meeting at 2:54 p.m.

Discussion ensued: (1) Graphic Information System Mapping Technology (GIS) Day will be held at Woodland and Heron Creek Middle Schools in November and Staff will provide the Commission with the date and time; (2) a suggestion was made that Staff look into applying a North Port geofilter on website applications. There was no public comment.

F. [18-351](#) Presentation regarding Veterans Housing Plan by Frank Taylor, Director Face of Hope Foundation Vets Helping Vets.

Face of Hope Foundation Director, Frank Taylor and Veteran Community Resources Executive Director Joe Franklin provided a PowerPoint presentation of the item.

Discussion ensued: (1) it was suggested that Mr. Taylor reach out to Jewish Family and Children's Services (JFCS) because they receive funding to help Veterans, and they may be able to assist with this item; (2) it was noted that the Veterans may be able to help with building for the Sky YMCA, they are extending an open invitation and wish to be invited to further discussions; (3) Veterans interested in the program may contact Frank Taylor at (239) 841-0218 or by email to FWT1951@yahoo.com; (4) Face of Hope Foundation currently has three properties they are improving in North Port. There was no public comment.

Recess 3:25 p.m. - 3:43 p.m.

City Attorney Slayton returned to the meeting at 3:43 p.m.

G. [18-245](#) North Port's Beautification Program-US Hwy 41

City Arborist Pieper provided a PowerPoint presentation of the item.

Discussion ensued: (1) it was noted there are funds available in the tree fund to sponsor the beautification program with Commission approval; (2) Section 45-13 of the Unified Land Development Code (ULDC) provides for use of the tree fund, and to utilize the tree fund for the beautification program would require the Commission to amend the Code; (3) it was suggested that monies received for code enforcement violations that currently go into the general fund, be separated and utilized for areas identified for revitalizing in the City; (4) the beautification program would be handled by the Arborist through Neighborhood Development Services; (5) a suggestion was made to do landscaping along the frontage in addition to planting trees; (6) the tree fund is supported by fines for trees; (7) because a project for angled parking on both sides of U.S. 41 was just approved in the budget, it was suggested to combine the parking lot upgrade project with the beautification project; (8) it was noted that the beautification project is regarding private properties. There was no public comment.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, that Staff bring back to the Commission a structure for a fund from Code Enforcement fines to be used for the revitalization program. The motion carried by the following vote:

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

7. PROCLAMATIONS AND RECOGNITIONS: 4:00 P.M. TIME CERTAIN

A. [18-378](#) Presentation of the Florida Water Environment Association's Public Education Award

Public Communication and Outreach Awards Committee Chair Julie Karleskint read the Florida Water Environmental Association Public Education Award into the record and presented it to Public Utilities Customer Service Coordinator Duffey.

B. [18-311](#) Recognition of the 2018 Solid Waste Association of North America Florida Sunshine Chapter Road-E-O Participants and Winner

Solid Waste Manager Lama announced that Solid Waste Equipment Operator Healy won first place in the Solid Waste Association of North America (SWANA) Rode-E-O Front Loader competition and will be representing North Port in Colorado this September.

C. [18-313](#) Proclamation "National Garbage Man Week" in the City of North Port Florida, June 17, 2018 through June 23, 2018, to be accepted by Frank Lama, Solid Waste Manager

Mayor Carusone read the National Garbage Man Week Proclamation into the record and presented it to Public Works Director Bellia, Solid Waste Manager Lama and Public Works Staff.

D. [18-345](#) Code Enforcement Officers' Appreciation Week

Vice Mayor Yates read the Code Enforcement Officers' Appreciation Week Proclamation

into the record and presented it to Neighborhood Development Services Director Williams, Property Standards Division Manager Kozabo and Property Standards Inspector Hoffman.

- E. [18-346](#) Proclamation "Automotive Service Professionals Week" in the City of North Port Florida, June 10, 2018, through June 16, 2018, to be accepted by Kenneth Rappuhn, Fleet Manager

Commissioner McDowell read the Automotive Service Professionals Week Proclamation into the record and presented it to Fleet Maintenance Manager Rappuhn and the Fleet Maintenance Staff.

- F. [18-357](#) Proclamation for July 2018 as Parks and Recreation Month

Commissioner Hanks read the Parks and Recreation Month Proclamation into the record and presented it to General Services Director Pfundheller, Parks and Recreation Manager Wisner, Staff and Parks and Recreation Advisory Board Members.

4. PRESENTATIONS: 15 MINUTE TIME LIMIT

- H. [18-324](#) Presentation and Discussion on Body Worn Cameras.

Interim Chief of Police Morales and Senior Risk Management Coordinator Baker gave a presentation of the item.

Discussion ensued: (1) the leasing program for body cameras is \$151,000 per year; (2) the national average of body recording time is 2.5 hours per 12-hour shift; (3) each municipality dictates policy for when the body cameras are to be activated, or if they are to record the duration of each shift; (4) body camera recordings will be entered into evidence, and recording will save officers time for other duties; (5) concerns were expressed for body cameras recording within a home and the expectation of privacy, protecting juveniles and complying with the Health Insurance Portability and Accountability Act (HIPPA); (6) it was explained that recordings in certain instances are not subject to public record, and there are pieces that will be redacted; (7) the vendor is responsible for security measures of information stored in the cloud, and there are safeguards in place; (8) the body cameras are a self-contained recording system and do not rely on wi-fi or satellites; (9) one of the leasing vendors offers a taser with each body camera, this includes a five-year warranty, unlimited batteries and cartridges; (10) there are options available that will activate the body camera recording if a taser or weapon is pulled; (11) if a video is lost, the officer would have to go back to witnesses or victims to obtain written statements; (12) Staff will research how often cases have been dropped because the body camera recording failed or was not recording; (13) if redactions are necessary, it takes approximately three-hours of staff time to redact one-hour of video; (14) leasing the equipment and storage is approximately \$151,000 per year, and Staff costs for Records and Internet Technology would be an additional \$91,980 per year; (15) homeowners that request body cameras be turned off or instances that must be recorded would be addressed in the policy set by the City; (16) if the Commission desires to move forward with purchasing body worn cameras, additional research will be done and the request may be presented for the 2020 budget; (17) it was suggested to not impose a time constraint for purchasing in the event grants are available to assist with the costs; (18) a suggestion was made to hear the opinion of the new Chief of Police when one is hired; (19) support was expressed to move forward with research of the body worn cameras; (20) an implementation team comprised of the Police Department, City Attorney, Records department, Internet and Technology and the City Clerk will develop policy and procedures prior to testing and evaluation. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, that the City Manager in coordination with the Police Department continue researching the body worn camera equipment for fiscal year 2019-2020. The motion carried by the following vote:

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

6. GENERAL BUSINESS:

A. [18-344](#)

Report on the Proposed Mosaic Desoto County Mine and Potential Impacts on Surface Waters Flowing to the City of North Port.

Assistant City Manager Branco and Public Works Director Bellia gave an overview of the item and Stantec Consulting Senior Environment Scientist Doctor Jennifer Brunty provided a PowerPoint presentation.

Discussion ensued (1) it was noted that Stantec Consulting hasn't done any work for the Mosaic Company; (2) the settling areas will not become reclaimed lakes, they will be filled in with clay; (3) the phosphate ore is shipped to the Mosaic Company in Bartow, Florida, and they do have other locations in Florida; (4) the mining is not expected to be a problem for North Port water because it is already nitrogen limited, meaning it already has a lot of phosphorus in it; (5) sites one and two are monitored by the City of North Port, and the Mosaic Company is monitoring other sites; (6) fluoride is released when phosphate is dug out; (7) Staff is seeking feedback from the Commission and recommends sending the proposed letter to agencies and counties; (8) Staff recommends quarterly fluoride monitoring to develop a baseline before any mining occurs; (9) Commission previously gave direction that an ordinance was to be drafted for a ban on phosphate mining and fracking in the City; (10) while writing the ordinance Staff had concerns with legalities and noted that no other municipality has banned phosphate mining; (11) there may be some implied exemption and it was suggested to not call it a ban but to enter regulations; (12) November 22, 2016 and February 14, 2017 the Commission discussed a ban on fracking; (13) it was suggested that other chemicals and minerals should be monitored, and that barriers be used for the clay settling ponds to prevent seepage; (14) it was suggested that the City Clerk research previous resolutions and ordinances regarding a ban on mining, prior Commission action may have been taken prior to 2009; (15) it is estimated that mining in Desoto east will start in five years, and Desoto west in ten years; (16) Orange Hammock is the City's water source for the east end, and it's on the line between east and west Desoto; (17) it was noted that the proposed letter should indicate the City's concern, and that construction within the Big Slough watershed is not supported; (18) it was noted there was a previous consensus that after a presentation by John Rice, Mayor Yates was to propose an ordinance on a future agenda; (19) the consultant was hired to provide additional information prior to entry of an ordinance banning phosphate mining in the City; (20) it was suggested that the Commission receive quarterly or semi-annual status reports of pending matters; (21) the City Attorney's Office sent a memo to Staff August 2017 regarding concerns of potential implied pre-emption and impact of owners' property rights, and suggested that an ordinance that regulates mining rather than banning would not implicate legal concerns; (22) it was suggested that the home rule be researched to see if it applies to protecting the City's watershed in another county; (23) a suggestion was made to obtain more legal information before further direction is given; (24) it was suggested to incorporate the consultant's recommendations with a directive; (25) it was suggested that the letter also be sent to the Army Corp of Engineers, Charlotte Harbor National Estuary Program (CHNEP), Florida Fish and Wildlife Conservation Commission (FWC), Peace River Water Management, Sarasota County, state and federal elected officials, and the letter should

be signed by the Mayor and the City Manager.

PUBLIC COMMENT

Allain Hale: supports mining ban.

Discussion continued: (1) it was suggested that the City collect data from the Environmental Park, Yorkshire Street and S.R.72, and that collections start within a year to begin developing a baseline; (2) concern was expressed that the report indicates the berms will support a 25-year storm, that isn't sufficient, it should be built for 100-year storm; (3) it was explained that Southwest Florida Water Management District (SWFWMD) can make a determination regarding a 100-year flood area and Federal Emergency Management Assistance (FEMA) flood mapping is based on 100-years, the standard State rule is 25-years; (4) no water should be leaving the burrow area where the mining is done; (5) it was noted that the Mosaic Company is a client of Stantec Consulting and they do have a business relationship, but the work was not completed in the State of Florida; (6) Staff noted they will collect and monitor data for fluoride, chemicals and other minerals as listed in the consultant's report, for the areas suggested by the Commission; (7) it was suggested that Staff can submit the expense for a budget adjustment for this year or include costs in the upcoming budget for next year.

A motion was made by Commissioner McDowell, seconded by Mayor Carusone, to use the recommended monitoring suggested by Stantec in section 9.0, expanding the locations to include Appomattox Drive, Yorkshire Street, the Environmental Park and S.R.72, on a quarterly basis, for a baseline. The motion carried by the following vote:

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

Discussion continued: (1) Staff suggested a summary of actions moving forward; (2) the letter should express the concerns of the Commission for both east and west mines.

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to direct Staff as suggested by Ms. Bellia, that Public Works, Planning Division and Utilities will work with the City Attorney's Office in respect to an ordinance prohibiting phosphate mining in the City, plan how to carry out the recommendations from Stantec, and come to the Commission with a final letter, with appropriate signatures, to all agencies including those added today. The motion carried by the following vote:

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

There was a consensus to direct the City Clerk to research what actions and discussions that the Commission has taken on the Mosaic mining and fracking subject back to 2001; including an outline of the date/month and what things happened; including minutes and resolutions; and discussions with Advisory Boards.

There was a consensus for confirmation and clarification in regard to the relationship of Stantec and Mosaic, if any.

Recess 6:58 p.m. - 7:37 p.m.

B. [18-377](#)

Discussion and possible action on a Historical Registry Record System.

Commissioner Luke gave an overview of the item.

Discussion ensued: (1) it was suggested that a standard operating procedure be established for the Historic and Cultural Advisory Board (HCAB), and that they should identify areas to be designated as historical, and make recommendation to the Commission for sites to be listed on the registry; (2) Warm Mineral Springs and the buildings are on Geographic Information System Mapping Technology (GIS) as historical locations, and other sites can be listed; (3) a suggestion was made that the first house built in North Port should be listed on the registry; (4) the HCAB doesn't have enough members for a quorum yet; (5) the registry is necessary so that Staff can know what sites need to be protected; (6) the powers and duties of the HCAB as provided in Ordinance 2018-21 were reviewed; (7) a Liaison will be appointed to the HCAB to guide them through the process of identifying and recommending locations to the Commission; (8) it was noted that the HCAB should be made aware that the intent is to identify sites on public property and that owners of private property must agree to be included in the registry; (9) the Liaison is assigned by the City Manager, and it was noted that Planning Division Manager Miles has background experience with historical registries and would like to be the Liaison to the HCAB; (10) the standard operating procedure should be presented to the Commission prior to being utilized by the HCAB. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, that the Liaison to the Historical and Cultural Advisory Board assist them in developing standard operating procedures for the process of registry, so that it can be presented to the Commission for approval of historical and cultural aspects of the City.

A motion was made by Vice-Mayor Yates, seconded by Commissioner McDowell, to amend the motion that Staff bring the standard operating procedure to the Commission for review prior to setting it up with the Board. The motion carried by the following vote:

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

A vote was taken on the main motion, as amended, that the Liaison to the Historical and Cultural Advisory Board assist them in developing standard operating procedures for the process of registry, so that it can be presented to the Commission for approval of historical and cultural aspects of the City, and that Staff bring the standard operating procedure to the Commission for review prior to setting it up with the Board. The motion carried by the following vote:

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

C. [18-376](#)

Discussion and possible action for Angle Parking along 41.

Commissioner Luke gave an overview of the item.

Discussion ensued: (1) the motion was clarified that the intent is to add the north side of U.S.41 for angled parking, concurrent to the angled parking project on the south side of U.S.41. There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to have City Manager fast track the angled parking on the north side of U.S.41. The motion carried by the following vote:

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

8. PUBLIC COMMENT:

Public Comment was held from 8:01 p.m. - 8:02 p.m.

Justin Willis: Thanks to Public Works.

5. PUBLIC HEARINGS:**A. [18-360](#)**

Ordinance No. 2018-09, GEN-08-026, First Reading, Parking and Storage of Certain Vehicles

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to read Ordinance No. 2018-09 by title only. The motion carried by the following vote:

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

City Clerk Adkins read Ordinance No. 2018-09 into the record by title only.

Discussion ensued: (1) concern was expressed for the limited number of vehicles on residential property; (2) the average platted lot is 80'x125', which is 10,000-square feet; (3) a suggestion was made to have the City Attorney craft language to add an appeal process allowing exceptions for the number of parked vehicles that exceed the ordinance; (4) a new process would need to be created to appeal this City Code because the Planning and Zoning Advisory Board (PZAB) is for variances to the Unified Land Development Code (ULDC); (5) it was suggested to correct the required square footage from 11,001 to 11,000, and that it should read 11,000 to 22,000 square feet.

There was a consensus to correct the Line 152 comparison chart from 11,001-square feet to 11,000-square feet.

Discussion ensued: (1) it was clarified that the second Whereas Clause starting on line 23 is not codified, it is incorporated in the Findings on line 36; (2) line 48 Reserved is positioned at the beginning to allow for additions in alphabetical order; (3) wood chippings included on lines 68-69 may be problematic and may not be aesthetically pleasing; (4) it was noted that wood chippings are cost effective and may look better than other surface coverings.

There was a consensus to keep wood chippings as an option on lines 68-69.

Discussion continued: (1) though it was suggested to add the word "motorized" before "device" on line 71, it was noted the description for this item already states motor vehicle; (2) concern was expressed for the reference to Florida State Statutes (FSS) as stated on line 74 because the State's definition is going to be problematic for what the Commission is trying to accomplish; (3) reference to FSS for statutory definitions is recommended by Staff; (4) it was suggested to remove the words "device" and "conveyance" from line 71, and remove the reference to the FSS on line 74; (5) using the FSS definitions allows for vehicles not approved by the Commission including semi-trucks; (6) it was suggested to use the language previously revised by the Commission.

There was a consensus that line 71, item (6) to put back the definition of motor vehicle as car, pickup truck, van, sport utility vehicle (SUV), race car, motorcycle or other conveyance designed for transporting 16 or fewer passengers over a public street.

Discussion continued: (1) it was explained that the recommended change to

26,001-pounds on line 98 conflicts with 74-51 of the Code which states 12,000-pounds; (2) Staff acknowledges the Code is old language, the roads have been rehabilitated and they are reviewing to determine what is an accurate weight allowance for the roads; (3) previously the Commission used a graphic to set the 26,001-pound restriction; (4) the definition of a Semitrailer in Exhibit B is too broad and needs to provide a weight limit; (5) a suggestion was made to change the weight restriction to 16,000-pounds; (6) a suggestion was made to direct Staff to come back with a definition for a semitrailer attached to a big rig, and not construed as a 5th wheel or other type of trailer.

There was a consensus to direct Staff to come back with a definition for a semitrailer attached to a big rig, and not construed as a 5th wheel or other type of trailer.

Discussion continued: (1) the FSS definition of trailer was reviewed; (2) it was suggested to remove the reference to FSS on line 105.

There was a consensus to remove the reference to Florida State Statute on line 105.

Discussion continued: (1) it was suggested to remove all references to the FSS, including the reference on line 88.

There was a consensus to remove the reference to Florida State Statute on line 88.

Discussion continued: (1) the wording for the definition of "Truck" on line 107 may be misconstrued as being included as a Motor Vehicle on line 71; (2) it was suggested to change the word "motor" to "motorized" on line 107.

There was a consensus to change the word "motor" to "motorized" on line 107.

Discussion continued: (1) it was suggested to change the word "motor" to "motorized" on line 110.

There was a consensus to change the word "motor" to "motorized" on line 110.

Discussion continued: (1) it was suggested to combine items (d) and (e) starting on lines 175 and 184, regarding Parking on right-of-way; (2) it was noted that neither (d) or (e) prevent parking a boat or trailer in the right-of-way.

PUBLIC COMMENT

Justin Willis: parking restrictions and surface covering.

Discussion continued: (1) item (e) on page five provides that a boat can park in the unimproved right-of-way, and item (4) on page six states a boat cannot be stored in the right-of-way; (2) all swales in the City are considered to be improved and the Code allows for parking in the swales with conditions; (3) a suggestion was made to add definitions for improved and unimproved; (4) it was noted that unimproved is intended to mean unpaved and isn't meant to apply to the swales; (5) concern was expressed that the ordinance as written would allow boats and RVs to park long term in the swales; (6) it was explained that the ordinance as written would allow parking in the swales for less than five days; (7) police respond to calls about parking, they mark the vehicle and send out letters; (8) it was suggested that the departments review their definitions for improved and unimproved to be uniform with the policy; (9) it was suggested to leave the language as is pending Staff review of definitions, and it can be revisited at the second reading.

There was a consensus to leave items (d) and (e) starting on lines 175 and 184, regarding Parking on right-of-way, as is.

Discussion continued: (1) it was suggested to add a new item (4) to say no parking on multi-use paths, multi-mobile paths, trails or sidewalks; (2) state law does not allow motorized vehicles to park on sidewalks; (3) concern was expressed that line 223 doesn't

allow for commercial vehicles to be parked in the driveway; (4) line 249 provides for overnight parking of a commercial vehicle in a driveway with conditions; (5) concern was expressed that overnight parking is too limited; (6) the definition or description of commercial vehicles in the ordinance is vague and needs to be clarified; (7) concern was expressed that the definition of commercial vehicle in the Code and the ordinance are contradictory; (8) Staff will discuss line 223 with the City Attorney's Office and reword the section for clarity; (9) concern was expressed that home-based businesses should be able to park their vehicles at home; (10) the Police Department expressed concern with line 234 and would like to see parking allowed for wreckers while they are working on-call; (11) when the language is rewritten it should allow parking for a registered home-based business at that residence.

There was a consensus to allow parking for a registered home-based business at that residence.

Discussion continued: (1) violations of this administrative code will be handled by Code Enforcement; (2) concern was expressed that violation of line 212 would need immediate attention and should not wait on the Code Enforcement process; (3) it was suggested to move (4) on line 212 to Section 74 of the Code for police enforcement; (4) it was suggested that a provision for line 212 be left in the ordinance though it is moving to Section 74, and the ordinance should reference it is enforced by the Police Department.

There was a consensus to move line 212 notated as (4) back to Section 74 so that it is under the Police per diem and referenced in the ordinance.

Discussion continued: (1) it was clarified that in reference to line 216 a boat on a trailer is one vehicle; (2) line 154 references anything on a trailer constitutes as one vehicle and is marked with an asterisk; (3) concern was expressed that the asterisk on line 154 appears to apply to that section only and not the ordinance as a whole; (4) there was a suggestion for Staff to bring back the Resolution to extend the moratorium to allow for more time and it should be brought back to the Commission prior to July 13, so it doesn't lapse; (5) it was suggested to move line 154 and make it subsection (b), with subsection (a) for definitions, (b) for policy, noting that anything on a trailer constitutes one vehicle, and (c) for specific parking requirements.

There was a consensus to make Line 154 subsection (b), and have (a) for definitions, (b) for policy, anything on a trailer constitutes one vehicle, and then (c) for specific parking requirements.

Discussion continued: (1) line 273 was a change requested by the Chief of Police, and this will remain under their enforcement; (2) section 74-92 needs to be consistent with the rest of the ordinance.

A motion was made by Commissioner Luke, seconded by Vice-Mayor Yates, to continue to second reading Ordinance No. 2018-09 with a time undetermined. The motion carried by the following vote:

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

A motion was made by Vice-Mayor Yates, seconded by Commissioner Luke, to direct Staff to bring back the Resolution extending the moratorium on section 25-19, by June 26. The motion carried by the following vote:

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

9. COMMISSION COMMUNICATIONS:

Commissioner McDowell: (1) the City Manager's anniversary date is in July and his review should be set as an Agenda item; (2) the West Villages joint meeting is June 14, the Commission should weigh in on the topics; (3) attended the Chamber of Government meeting.

Commissioner Hanks: nothing to report.

Commissioner Luke: nothing to report.

Vice-Mayor Yates: nothing to report.

Mayor Carusone: nothing to report.

10. ADMINISTRATIVE AND LEGAL REPORTS:

Assistant City Manager Branco: (1) discussion topics for the joint meeting received by West Villages: [a] cell tower update; [b] status of City planning and development for the 63-acre park on River Road; [c] District update for the Commission on roads and traffic lights; [d] City Police, Fire and Code Enforcement services in the District.

City Attorney Slayton: nothing to report.

City Clerk Adkins: nothing to report.

11. ADJOURNMENT:

Mayor Carusone adjourned the North Port City Commission Special Meeting at 10:12 p.m.

City of North Port, Florida

By: _____
Vanessa Carusone, Mayor

Attest: _____
Kathryn Peto, Interim City Clerk

Minutes approved at the City Commission Regular Meeting this ____ day of _____, 2018.