



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes - Final Planning & Zoning Advisory Board

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Thursday, November 1, 2018

9:00 AM

CITY HALL ROOM 244

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### **MINUTES APPROVED AT THE DECEMBER 6, 2018 MEETING**

#### **CALL TO ORDER/ROLL CALL**

The November 1, 2018 Planning & Zoning Advisory Board was called to order at 9:00 a.m. in Room 244 by Chair Nicholson.

Present: Chair Thomas Nicholson, Jr.; Vice-Chair Kevin Rouse; Norbert Schneider; John Metzger; Philip Lamade; and James Sawyer.

Staff: Assistant City Attorney Golen; Interim Planning Division Manager Galehouse; Senior Planner Hansen; and Recording Secretary Goodman.

#### **The Pledge of Allegiance was led by the Board.**

#### **1. PUBLIC COMMENT**

There was no public comment.

#### **2. ANNOUNCEMENTS**

- A. [18-780](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees.

Recording Secretary Goodman read the Current Vacancies and Upcoming Expiration Dates for Boards and Committees into the record.

#### **3. PRESENTATION: TIME CERTAIN 10:00 A.M.**

- A. [18-754](#) Presentation by Hector Muñoz: "Agriculture: If you ate today, Thank a farmer"

#### **4. PUBLIC HEARING**

- A. [18-758](#) Ordinance 2018-43, Petition No. TXT-18-171, Prohibition on Well Stimulation (Fracking) for Oil and Natural Gas Exploration

Recording Secretary Goodman read Ordinance 2018-43 into the record by title only.

Interim Planning Manager Galehouse provided an overview and noted that Ordinance 2018-43 was reviewed by the City Attorney for form and correctness and has been advertised. Exhibit A – Public Notice was distributed to the Board.

Discussion ensued regarding: 1) clarification was provided that the rights for fracking are regarding mineral rights which are under the City and provides the City with the ability to stop fracking before entering the City.

**Board Member Rouse moved to approve Ordinance 2018-43; seconded by Board Member Lamade. The motion carried by the following vote:**

**Yes:** 6 - Chair Nicholson, Vice-Chair Rouse, Board Member Schneider, Board Member Lamade, Board Member Metzger and Board Member Sawyer

**B. [18-759](#)**

Ordinance 2018-40, Petition No. TXT-18-165, Prohibition on Phosphate Mining

Recording Secretary Goodman read Ordinance 2018-40 into the record by title only.

Interim Planning Manager Galehouse provided an overview and noted that Ordinance No. 2018-40 was reviewed by the City Attorney for form and correctness and has been advertised. Exhibit B – Public Notice Advertising was distributed to the Board.

Discussion ensued: 1) clarification was provided by Assistant City Attorney Golen on the prospect of this Ordinance opening the City to litigation noting that there is always a potential, but that the language in the Ordinance is such that unless someone wants to phosphate mine in North Port, it is a moot issue and that this Ordinance was created per Commission direction; 2) further concern was expressed regarding future litigation with the passing of this Ordinance; 3) the responsibility of the Board to approve or deny Ordinance No. 2018-40; 4) it was expressed that, given the probability of phosphate mining in North Port, Ordinance No. 2018-40 is unnecessary.

**A motion was made by Vice-Chair Rouse and seconded by Board Member Lamade to approve Ordinance 2018-40, Petition No. TXT-18-165. The motion carried by the following vote with Chair Nicholson and Board Member Metzger dissenting:**

**Yes:** 4 - Vice-Chair Rouse, Board Member Schneider, Board Member Lamade and Board Member Sawyer

**No:** 2 - Chair Nicholson and Board Member Metzger

It was noted that Agenda Item 3.A, Presentation by Hector Munoz: Agriculture: "If you ate today, that a farmer" is scheduled for time certain at 10:00 a.m.

Recess from 9:21 a.m. to 10:01 a.m.

Upon reconvening, it was noted that there was no longer a quorum present and the presentation Agriculture: "If you ate today, thank a farmer" will be scheduled for a future meeting.

## **5. PUBLIC COMMENT**

There was no public comment.

## **6. ADJOURNMENT**

Chair Nicholson adjourned the Planning & Zoning Advisory Board Regular Meeting at 10:01 a.m.

City of North Port, Florida

By: \_\_\_\_\_  
Thomas Nicholson, Jr., Chair

Minutes approved at the Planning & Zoning Advisory Board Regular Meeting this \_\_\_\_  
day of \_\_\_\_\_, 2018.