



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes - Draft 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 Faust, City Clerk

Thursday, October 6, 2022

10:30 AM

City Commission Chambers

Postponed Meeting from September 27, 2022

CALL TO ORDER

Mayor Emrich called the meeting to order at 10:30 a.m.

ROLL CALL

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

Also Present:

City Manager Jerome Fletcher, City Attorney Amber Slayton, Assistant City Clerk Adrian Jianelli, Fire Chief Scott Titus, Deputy Fire Chief Nick Herlihy, Division Chief Emergency Manager Fire Rescue Michael Ryan, Police Chief Todd Garrison, Deputy Police Chief Chris Morales, Finance Director Kimberly Williams, Planning Manager Lori Barnes, Public Utilities Assistant Director Jennifer Desrosiers, Public Works Director Chuck Speake, Social Service Manager Janet Carrillo

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

Ms. Jianelli read the following eComments into the record:

Edie Driest: spoke to Heron Creek Gopher Tortoise and Scrub-Jays

Robin SanVicente: spoke to Heron Creek Gopher Tortoise and Scrub-Jays

Concerned Resident: spoke to mosquito control spray in North Port

PUBLIC COMMENT:

Joseph Masorino: spoke to Tree Ordinance

Jeffrey Scott: spoke to misleading the public and North Port responsibilities

3. CONSENT AGENDA:

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve the Consent Agenda, pulling Item Nos. 22-3470 and 22-3480 for discussion. The motion carried on the following vote:

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

- A.** [22-3268](#) Approve the Award of Funds from the Special Event Assistance Program to Family Promise of South Sarasota County in Support of a Kentucky Derby Event Held on August 20, 2022, in the Amount of \$500 to Cover the Costs of City Fees.

This item was approved on Consent Agenda.

- B.** [22-3272](#) Approve the Award of Funds From the Special Event Assistance Program to North Port Area Chamber of Commerce/North Port Young Professionals in Support of a Back to School Bash Event Held on July 30, 2022, in the Amount of \$824 to Cover the Costs of City Fees.

This item was approved on Consent Agenda.

- C.** [22-3418](#) Approval of the Society of European Stage Authors and Composers (SESAC) Music Performance License for Municipalities Between SESAC, LLC and the City of North Port.

This item was approved on Consent Agenda.

- D.** [22-3425](#) Approve the Disposition of Surplus Assets in an Appropriate Fashion Pursuant to Chapter 2 Administration, Article VIII Procurement, Section 2-419, Disposition of City Assets and Property (d), (1) of the Code of the City of North Port, Florida.

This item was approved on Consent Agenda.

- E.** [22-3430](#) Approve the Shared Facility Agreement – North Port Fire Station No. 86 Between the City of North Port and Sarasota County Addressing Joint Use of Operational Areas, Responsibilities of Both Parties, and an Annual Rental Fee Starting at \$45,000.00 in Fiscal Year 2023.

This item was approved on Consent Agenda.

- F.** [22-3440](#) Approve the Memorandum of Understanding for Law Enforcement Agency Access to Driver and Vehicle Information Database System (DAVID)

between the City of North Port and the Florida Department of Highway Safety and Motor Vehicles

This item was approved on Consent Agenda.

- G. [22-3441](#) Approve the First Amendment to Lease Agreement Between the City of North Port and North Port Senior Center for Space at the Community Education Center.

This item was approved on Consent Agenda.

- H. [22-3442](#) Approve the Sole Source Purchase of Neptune AMR Water Meters, Reading Equipment, Software, and Repair and Maintenance Services from Ferguson Enterprises, LLC d/b/a Sunstate Meter & Supply on an 'As-Needed Basis', Based on Unit Pricing, for an Annual Estimated Amount of \$900,350.00 for Fiscal Year 2022-2023

This item was approved on Consent Agenda.

- I. [22-3462](#) Approve Award of Request for Bid 2023-01 Outsourced Mowing Services to Natural Designs Landscaping, LLC and Authorize the City Manager to Approve the Future Renewal Terms.

This item was approved on Consent Agenda.

- J. [22-3470](#) Approve the Public Emergency Medical Transport (PEMT) Letter of Agreement with the Agency for Health Care Administration (AHCA).

Mayor Emrich announced the item.

Ms. Slayton introduced the item and requested a ratification.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the ratification entering the agreement with the agency for Health Care Administration (AHCA). The motion carried on the following vote:

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

- K. [22-3474](#) Approve the Affiliation Agreement Between the School Board of Sarasota County and the City of North Port, to Permit Students Enrolled in Health Science Programs to Ride-Along with Fire Rescue Crews.

This item was approved on Consent Agenda.

- L. [22-3480](#) Approve Supplemental Minimum Wage Agreement with the Agency for Health Care Administration (AHCA).

Mayor Emrich announced the item.

Ms. Slayton introduced the item and requested a ratification.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the ratification entering the supplemental minimum wage agreement with the agency for Health Care Administration (AHCA). The motion

carried by the following vote:

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

- M.** [22-3544](#) Approval of William "Chuck" English to Serve a Second Term as a Regular Member on the Environmental Advisory Board to Serve a Two-Year Term From September 27, 2022, to September 27, 2024.

This item was approved on Consent Agenda.

- N.** [22-3573](#) Approval of Minutes for the September 1, 2022 City Commission Regular Meeting

This item was approved on Consent Agenda.

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A.** [22-3333](#) Presentation from American Public Works Association Accreditation Regional Director Regarding the Department of Public Works Reaccreditation.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item and requested it be postponed to a later date.

5. PUBLIC HEARINGS:

RESOLUTION:

- A.** [RES. NO. 2022-R-63](#) A Resolution of the City Commission of the City of North Port, Florida, Approving the Two Subordinations of City Utility Interests Along the South Side of Tamiami Trail in Wellen Park for the Florida Department of Transportation for Highway Purposes; Providing for Incorporation of Recitals; 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 discussion.

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-63 as presented. The motion carried on the following vote:

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

- B.** [RES. NO. 2022-R-60](#) A Resolution of the City of North Port, Florida, Vacating a Portion of the Ten (10) Foot Utility and Drainage Easement on the Western Boundary of Lot 18, Block 1310, Twenty-Sixth Addition to Port Charlotte Subdivision; Providing for Findings: Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL).

Mayor Emrich announced the item, stated this is a quasi-judicial hearing, and directed the Assistant City Clerk to read the Resolution by title only.

Ms. Jianelli read the Resolution by title only and swore in those wishing to provide testimony.

There were no ex-parte communications.

Ms. Jianelli noted there were no aggrieved parties.

Ms. Barnes, being duly sworn, stated due to a meeting conflict the Applicant is unable to attend and provided a presentation including lot size and location, existing carport, vacation of easement, and Florida Power & Light (FPL) registered concerns on the power poles.

Commission questions and discussion took place regarding existing carport, vacation of easement, and size.

There were no rebuttals from Staff.

There was no public comment.

There were no closing arguments from Staff.

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-60 as presented. The motion carried on the following vote:

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

RESOLUTION - Second Reading:

- C.** [RES. NO. 2022-R-43](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-2022 for the Interlocal Agreement for a Joint County/Municipality Economic Development Program in the Amount of \$151,213: 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 discussion.

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-43 as presented. The motion carried on the following vote:

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

ORDINANCE - Second Reading:

- D. [ORD. NO. 2022-14](#) An Ordinance of the City of North Port, Florida, Increasing Certain Building Fees under the City Fee Structure; Amending the Code of the City of North Port, Florida, Appendix A – City Fee Structure, Section D, Building Fees; 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 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 discussion.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve Ordinance No. 2022-14 as presented. The motion carried on the following vote:

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

- E. [ORD. NO. 2022-18](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 17 - Flood Damage Prevention Regulations, Relating to Accessory Structures and Manufactured Homes in Flood Hazard Areas and Definitions; 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 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 discussion.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to approve Ordinance No. 2022-18 as presented. The motion carried on the following vote:

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

- F.** [ORD. NO. 2022-23](#) An Ordinance of the City of North Port, Florida, Amending Water and Wastewater Capacity Fees; Amending the Code of the City of North Port, Florida, Section 78-30; 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 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 discussion.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner Luke, to approve Ordinance No. 2022-23 as presented. The motion carried on the following vote:

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

- G.** [ORD. NO. 2022-24](#) An Ordinance of the City of North Port, Florida, Regarding Water and Wastewater Utility Line Extension and Connection Charges, Creating an Early Connection Incentive, and Creating a Customer Connection Hardship Program; Amending the Code of the City of North Port, Florida, Section 78-31; 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 to read the Ordinance by title only.

Ms. Jianelli read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding size, location and cost in linear, wastewater cost, combined lots, and construction credit.

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. 2022-24 as amended to correct VIII on Page 5 to show incentive instead of construction credit. The motion carried on the following vote:

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

Recess was taken from 11:23 a.m. until 11:40 a.m.

6. GENERAL BUSINESS:

- A.** [22-3372](#) Discussion and Possible Action Regarding the Environmental Advisory Board's Formal Request to be Included in the Review of Requests for Waivers to Open Space and Park Requirements Contained in Section 37-14 of the Unified Land Development Code

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding Environmental Advisory Board (EAB) recommendations, review of Unified Land Development Code (ULDC) changes and request for waivers pertaining to open spaces, and board tasks.

PUBLIC COMMENT:

Jackie Lafler: spoke to green space and quality of life

Mayor Emrich requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Langdon, to direct the City Manager to send a memo to the Environmental Advisory Board and copy the Commission declining their request regarding waivers to open space and park requirements contained in the Unified Land Development Code (ULDC) and encouraging them to provide public comment at Commission meetings. The motion carried on the following vote:

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

- B.** [22-3465](#) Discussion and Possible Action Regarding the Demolition of Buildings at Dallas White Park

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding damages due to Hurricane, K9 training usage, insurance, public safety, project priorities, reallocating funds, other resources, Children's Closet and Voluntary Prekindergarten (VPK) building, pod rentals, rental agreement, and building re-assessments.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner Luke, to direct staff to bring back information on potential funding sources and recommendations to proceed with the building whether demolishing or securing for public safety hazards. The motion carried on the following vote:

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

C. [22-3529](#) Discussion and Possible Action Regarding Painting or Decorating Traffic Signal Control Cabinets.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding artwork on control box, other cities in Florida, control box locations, suggested ideas, sponsored plates, positive messages, public art, intentions of Activity Centers, art fund, changes to the Unified Land Development Code (ULDC) and Comprehensive Plan, procurement, Commission approval, and driving distractions.

Mayor Emrich spoke to timing, priorities, distractions, and other ideas.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner White, to direct staff to bring back recommendations at the same time the Unified Land Development Code (ULDC) project is brought back. The motion carried on the following vote:

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

Mayor Emrich dissented due to timing, priorities, distractions, and other ideas.

Commissioner McDowell dissented due to staff time priorities.

D. [22-3540](#) Discussion and Possible Action to Increase Transportation Impact Fees From 75% to 100% of the 2011 Impact Fee Study.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding legal precedence, transportation impact fees, raised impact fees, and mobility fees.

Ms. Slayton spoke to raised impact fees every four years, exceptions, transportation impact fees, advertisement, and consultants.

Commission questions and discussion continued regarding Comprehensive Plan and Unified Land Development Code (ULDC), current exceptions, allocated funds, types of usage of fees, and staff recommendations.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Commissioner McDowell, to direct the City Manager and staff to proceed with mobility fees and update the Commission every other month with mobility status. The motion failed due to lack of a second.

E. [22-3550](#)

Discussion and Possible Action Regarding the Approval of the September 8, 2022, City Commission Special Meeting Minutes.

Mayor Emrich announced the item.

Ms. Jianelli introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the September 8, 2022 Meeting Minutes as presented with the recommended changes. The motion carried on the following vote:

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

F. [22-3551](#)

Discussion and Possible Action Regarding the Approval of the September 6, 2022, Commission Workshop Minutes.

Mayor Emrich announced the item.

Ms. Jianelli introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Emrich requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the September 6, 2022 Meeting Minutes as presented with the recommended changes. The motion carried on the following vote:

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

Recess was taken from 12:56 p.m. until 1:10 p.m.

G. [22-3575](#) Discussion and Possible Action Regarding the City Manager's Annual Evaluation.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding peer document, appreciation of the City Manager, improvements, April 2022 increase, other Charter Officers 4% raises, recommendations for a 1.3% increase, one on one with Commissioners, ideas and plans, leadership with staff, strategic planning, obtaining International City/County Management Association (ICMA), percentages, top achievements, and commitment and dedication.

Mayor Emrich passed the gavel to Vice Mayor Langdon.

A motion was made by Mayor Emrich, seconded by Commissioner Luke, to approve an 8% salary increase for the City Manager based on his performance evaluation, effective on his anniversary date of October 1, 2022. 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 due to not declining the six month raise, and willing to wait at the 1-year evaluation, each Charter position brought on their own abilities and being fair with the other Charter Officers.

Vice Mayor Langdon passed the gavel back to Mayor Emrich.

7. PUBLIC COMMENT:

There were no public comments.

8. COMMISSION COMMUNICATIONS:

A. [22-2520](#) Commissioner McDowell's Report

Commissioner McDowell spoke to appreciation of staff and first responders during Hurricane Ian, and asked about temporary housing.

Mr. Ryan spoke on temporary housing, extending RV stay, and customized response.

B. [22-2521](#) Commissioner White's Report

Commissioner White gave appreciation to staff during Hurricane Ian, and spoke to curfew and trees.

C. [22-2517](#) Mayor Emrich's Report

Mayor Emrich spoke to pod areas.

Chief Titus spoke to pod areas and other resources.

Mayor Emrich showed appreciation of staff during Hurricane Ian.

D. [22-2518](#) Vice Mayor Langdon's Report

Vice Mayor Langdon showed appreciation of staff during Hurricane Ian, and spoke to neighbors helping neighbors, supplies, San Pedro Catholic Church distribution, Awaken Food Pantry, and Insurance information locations.

E. [22-2519](#) Commissioner Luke's Report

Commissioner Luke spoke to resident humor, appreciation of citizens for their spirit and staff during Hurricane Ian, emotional health resources, condolences to families, and loans and bonds.

Mr. Fletcher spoke on loans and bonds needed.

9. ADMINISTRATIVE AND LEGAL REPORTS:

A. [22-3557](#) City Attorney's Report

Ms. Slayton showed appreciation of staff during Hurricane Ian.

B. [22-3566](#) City Manager Report to Commission.

Mr. Fletcher spoke on Hurricane Ian, the effects through the City, and appreciation to all staff, City/State Local Emergency extensions, Federal Emergency Management Agency (FEMA) funding/reimbursement, accessing buildings, joint information centers, daily Public Information Officer (PIO) support, call centers, County Communications, social media, volunteer staff, shelters, dispatch centers, City staff participation, childcare options, community centers, City community disaster recover, and efforts of the City.

C. [22-3574](#) City Clerk's Report

Ms. Jianelli showed appreciation of staff during Hurricane Ian.

Mr. Fletcher spoke on additional providers and support during Hurricane Ian.

10. ADJOURNMENT:

Mayor Emrich adjourned the meeting at 2:32 p.m.

City of North Port, Florida

By: _____
Pete Emrich, Mayor

Attest: _____

Heather Faust, City Clerk

These minutes were approved on the ____ day of _____, 2022.