



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Barbara Langdon, Mayor
Alice White, Vice Mayor
Pete Emrich, Commissioner
Debbie McDowell, Commissioner
Phil Stokes, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager
Amber L. Slayton, City Attorney
Heather Faust, City Clerk

Tuesday, May 9, 2023

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor Langdon called the meeting to order at 10:00 a.m.

ROLL CALL

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

ALSO PRESENT:

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Faust, Recording Secretary Matthew Powell, Deputy Police Chief Chris Morales, Acting Fire Chief Nick Herlihy, Parks and Recreation Director Sandy Pfundheller, Public Works Director Chuck Speake, Emergency Manager Michael Ryan, Utilities Director Nancy Gallinaro, Planning Manager Lori Barnes, Planner II Noah Fossick, Planner III Carl Bengel, Development Services Director Alaina Ray, and Fire Marshal Peter Marietti III

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Phil Stokes.

1. APPROVAL OF AGENDA

Mayor Langdon requested a motion.

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

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

2. PUBLIC COMMENT:

Ms. Faust read the following public eComments into the record:

Joanna Polkowski: expressed opposition to Public Private Partnership (P3) development of Warm Mineral Springs (WMS).

David Iannotti: expressed concern regarding City policy and actions.

Ella Mandus: expressed opposition to P3 development of WMS.

Jill Luke: expressed support for smoke-free parks.

James Strawser: expressed concern regarding public input and accessibility to information.

Lyubov Levitova: expressed opposition to P3 development of WMS.

In person public comment:

Michelle Pozzie: expressed support for First Amendment and expressed support for Item No. 23-0772.

Robin San Vicente: expressed concern regarding security and expressed concern regarding process for appointing advisory Board Members.

Mayor Langdon requested City Manager to contact Ms. San Vicente regarding her security concerns.

Mr. Fletcher noted security concerns are being addressed and implemented.

Jeffrey Scott: expressed concern regarding City policy and actions.

John Meisel: expressed concern regarding City policy and actions.

Victor Dobrin: expressed opposition to P3 development of WMS.

Ms. Faust played the following voicemail public comment into the record:

Elizabeth: expressed opposition to P3 development of WMS.

3. ANNOUNCEMENTS

A. [23-0438](#) Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

Mayor Langdon announced the item and called on the City Clerk to read the announcements.

Ms. Faust read the announcements into the record.

4. CONSENT AGENDA:

Mayor Langdon announced the item and queried the City Manager regarding items pulled from the Consent Agenda for discussion.

Public comment:

In person public comment:

Robin San Vicente: expressed clarity regarding Item No. 23-0716.

Mayor Langdon requested a motion.

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

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

- A. [CC](#)
[CTA-22-257](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Portions of Tract 312 of the Gran Paradiso, Infrastructure Plat.
This item was approved on the Consent Agenda.
- B. [23-0649](#) Approve the Application to the Florida Local Government Cybersecurity Grant for Managed Security Information and Event Management (SIEM) Tool Implementation and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.
This item was approved on the Consent Agenda.
- C. [23-0687](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract for License Plate Reader Repair with Vetted Security Solutions Under Purchase Order No. 049818.
This item was approved on the Consent Agenda.
- D. [23-0704](#) Award Request for Bid No. 2023-26 Morgan Family Community Center Gym Floor Replacement With Athletic Resources in the Amount of \$169,000, With a Project Contingency of \$8,450, for a Total Amount of \$177,450.
This item was approved on the Consent Agenda.
- E. [23-0706](#) Approve the Award of Funds From the Special Event Assistance Program to Kiwanis Club of North Port in Support of the Kiwanis Family Fishing Tournament to be Held June 17, 2023, in an Amount up to, and Not to Exceed, \$500 to Cover the Costs of City Fees and Resources.
This item was approved on the Consent Agenda.
- F. [23-0710](#) Approve the Policy Confluence, Inc. Services Agreement for the Annual Citizen Survey and Web-Based Survey Platform Subscription in the Annual Amount of \$11,125.00.
This item was approved on the Consent Agenda.
- G. [23-0713](#) Approve the Federal Bureau of Investigation (FBI) Sarasota Resident Agency Suncoast Child Exploitation and Human Trafficking Task Force (CEHTTF) Memorandum of Understanding (MOU).
This item was approved on the Consent Agenda.
- H. [23-0716](#) Approve the Applications to the Protecting Florida Together Grant for Fixed Weir No. 123 in the Amount of \$471,000 and Myakkahatchee Creek Maintenance and Debris Removal in the Amount of \$2,500,000 and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the

Grant be Awarded to the City of North Port.

This item was approved on the Consent Agenda.

- I. [23-0720](#) Approve the Federal Bureau of Investigation (FBI) National Vehicle Lease, Vehicle Use Agreement - Non-FBI Task Force Officer at no Cost to the City of North Port.

This item was approved on the Consent Agenda.

- J. [23-0723](#) Accept the Cash Receipts Summary Report for March 2023.

This item was approved on the Consent Agenda.

- K. [23-0755](#) Approve the St. Johns County Sheriff's Office and City of North Port, Florida, Lead Contracting Agency Agreement Permitting the St. Johns County Sheriff's Office to Act as the Agency Lead in Ensuring that the City of North Port, Florida, is Compliant with the Federal Bureau of Investigation Criminal Justice Information Systems Security Policy for Use of Fusus Software for Surveillance Data Access.

This item was approved on the Consent Agenda.

- L. [23-0760](#) Approve the Appointment of Andrea Nease as the North Port Resident Representative of the Community Economic Development Advisory Board to Serve a Three-Year Term from May 9, 2023, to May 9, 2026.

This item was approved on the Consent Agenda.

- M. [23-0769](#) Approval of Minutes for the April 10, 2023 Commission Workshop Meeting, April 11, 2023 Commission Regular Meeting, and April 13, 2023 Commission Regular Meeting

This item was approved on the Consent Agenda.

- N. [23-0735](#) Approve Polling Place Agreements for Use of the Morgan Family Community Center and George Mullen Activity Center Between the City of North Port and the Supervisor of Elections of Sarasota County for the March 19, 2024, Presidential Primary Election; August 20, 2024, Primary Election; and November 5, 2024, General Election.

This item was approved on the Consent Agenda.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [23-0766](#) Presentation Reviewing City Wide Impacts from Hurricane Ian, Including Responses and Recovery Status.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Mr. Ryan provided a presentation including overview, impacts, response, current status, and looking ahead relating to Neighborhood Development Services, Human Resources, City Manager's Office, Public Works, Utilities, Police, Fire and Rescue, Parks and Recreation, Information Technology (IT), Geographic Information System (GIS), and estimated financial impacts.

Commission questions and discussion took place regarding Florida Recovery Obligation Calculation (F-ROC) applicability, Scout House repair status, water service disconnection process, and drone usage during emergencies.

Mr. Ryan spoke to upcoming hurricane exposition event.

Commission questions and discussion continued regarding street sign repair status.

There was no public comment.

B. [23-0767](#) Presentation of Awaken Church Outreach Center 2022 Annual Report of Activities

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Bill Taaffe, Awaken Church Outreach Center, provided a presentation including programs and services, partners, mission, statistics, and Hurricane Ian relief efforts.

Commission questions and discussion took place regarding eligibility for services, volunteer programs, and expenses.

Public comment:

Ms. Faust read the following public eComments into the record:

Jill Luke: expressed gratitude to Awaken Church Outreach Center.

6. PUBLIC HEARINGS:

PETITION:

**A. [CC](#)
[PLF-23-009](#)** Consideration of Petition No. PLF-23-009, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3. Replat of Tract 513 and Tract 601 (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Benge, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

Ms. Slayton spoke to procedure recommendation regarding Applicant presence and prior notice.

Mr. Benge noted the Applicant is not present and did receive prior notice.

There was no rebuttal by Staff.

There was no public comment.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve Petition No. PLF 23-009 as presented and find that, based on the competent substantial evidence, the Brightmore at Wellen Park Phases 1A-1C, 2A, and 3 Replat of Tract 513 and Tract 601 complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

**B. [CC](#)
[PLF-23-010](#)** Consideration of Petition No. PLF-23-010, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3 - Replat of Tract 514 and Tract 608 (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Benge, being duly sworn, noted the Applicant is not present and did receive prior notice, and provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve Petition No. PLF 23-010 as presented and find that, based on the competent substantial evidence, the Brightmore at Wellen Park Phases 1A-1C, 2A, and 3 Replat of Tract 514 and Tract 608 complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

**C. [CC](#)
[PLF-23-011](#)** Consideration of Petition No. PLF-23-011, Brightmore at Wellen Park Phases 1A-1C, 2A, and 3, Replat of Tract 607 and Tract 705 (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Fossick, being duly sworn, noted the Applicant is not present and did receive prior notice, and provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

Commission questions and discussion took place regarding tract 705 reconfiguration.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve Petition No. PLF 23-011 as presented and find that, based on the competent substantial evidence, the Brightmore at Wellen Park Phases 1A-1C, 2A, and 3 Replat of Tract 607 and Tract 705 complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

D. [CC](#)
[PLF-23-012](#) Consideration of Petition No. PLF-23-012, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3, Replat of Tract 614 and Tract 910 (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Benge, being duly sworn, noted the Applicant is not present and did receive prior notice, and provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve Petition No. PLF 23-012 as presented and find that, based on the competent substantial evidence, the Brightmore at Wellen Park Phases 1A-1C, 2A, and 3 Replat of Tract 614 and Tract 910 complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

E. [CC](#)
[PLF-23-013](#) Consideration of Petition No. PLF-23-013, Brightmore at Wellen Park, Phases 1A-1C, 2A, and 3 - Replat of Lots 81-94, and a Portion of Tract 606 (QUASI-JUDICIAL)

Mayor Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

Ms. Faust read the Petition by title only and swore in those wishing to provide testimony.

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Fossick, being duly sworn, noted the Applicant is not present and did receive prior notice, and provided a presentation including overview, applicant, property owner, request, location, aerial view, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve Petition No. PLF 23-013 as presented and find that, based on the competent substantial evidence, the Brightmore at Wellen Park Phases 1A-1C, 2A, and 3 Replat of Lots 81-94, and a portion of Tract 606 complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

ORDINANCE - Second Reading:

- F. [ORD. NO. 2023-14](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 22-55 and 22-65 Relating to Extending the Time Period When Use of Fertilizer is Restricted and Eliminating the Vehicle Decal Requirement; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Langdon announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding support for extension.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to adopt Ordinance No. 2023-14 as presented. The motion carried on the following vote:

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

- G. [ORD. NO. 2023-09](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Related to Alternative Pickup Locations for the Collection of Solid Waste from Residential Properties; Amending the Code of the City of North Port, Florida, Section 62-50; Providing For Findings; Providing For Conflicts; Providing For Severability; Providing For Codification; and Providing an Effective Date.

Mayor Langdon announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to adopt Ordinance No. 2023-09 as presented at second reading. The motion carried on the following vote:

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

Commission discussion took place regarding recess and reordering the Agenda.

Recess was taken from 11:45 a.m. to 11:50 a.m.

A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to reorder the Agenda to hear Resolution No. 2023-R-31 and Resolution No. 2023-R-33 at this time. The motion carried on the following vote:

Yes: 4 - Mayor Langdon, Vice Mayor White, Commissioner McDowell and Commissioner Stokes

Absent: 1 - Commissioner Emrich

RESOLUTION:

- J. [RES. NO. 2023-R-31](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Twenty (20) Foot Drainage Maintenance Easement for Lot 8, Block 160, Fifth 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 Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

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

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed speaking with citizens during recess regarding what Agenda Item they were present for.

Ms. Faust stated there were no aggrieved parties.

Thaddeus Szumilas and Wielawa Stachura, property owners, being duly sworn, requested approval.

Mr. Bengé, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, review process, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

There were no Commission questions or discussion.

There were no closing arguments by Staff or the Applicant.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to adopt Resolution No. 2023-R-31 as presented. The motion carried on the following vote:

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

K. [RES. NO. 2023-R-33](#)

A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of Maintenance, Utility, and Drainage Easements for Lot 23, Block 1936, Forty-First 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 Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

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

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed speaking with citizens during recess regarding what Agenda Item they were present for.

Ms. Faust stated there were no aggrieved parties.

Clifford King, CMK Law representing the Applicant, being duly sworn, requested approval.

Mr. Fossick, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, review process, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding discrepancy of timeline, property ownership history, and fees or penalties.

Ms. Faust swore in Ms. Barnes.

Ms. Barnes spoke to fee schedule options and considerations for the ULDC rewrite.

There were no closing arguments by Staff or the Applicant.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to adopt Resolution No. 2023-R-33 as presented. The motion carried on the following vote:

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

Recess was taken from 12:10 p.m. to 12:50 p.m.

ORDINANCE - First Reading:

- H. [ORD. NO. 2023-18](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan Future Land Use Element Regarding Goal 2, Figure 1: Standards for Activity Centers, AC #7 Area A, Warm Mineral Springs; Amending the Density, Intensity, and Percentage Of Land Use; and Amending Goal 2, Activity Center #7 Area A, Policies 2.7.11 Through 2.7.22, Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Langdon announced the item and requested the City Clerk to read by title only.

Ms. Faust read the Ordinance by title only.

A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote:

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

Mr. Fletcher introduced the item.

Ms. Barnes provided a presentation including overview, aerial view, conflict and contract

zoning, amendments, policies, and recommendations.

Commission questions and discussion took place regarding creating separate columns for Activity Centers 7 and 7A, public recreation open space requirements and definition, Unified Land Development code (ULDC) rewrite, Comprehensive Plan inclusion, acreage discrepancy with prior Ordinance and effects on development, contract zoning legality timeline, dwelling units per acre, City water and sewer requirements, Policy 2.7.22 inclusion versus exclusion, ULDC versus Comprehensive Plan hierarchy, tree canopy inclusion, maximum square footage, and Planning and Zoning Advisory Board recommendation.

Public comment:

Ms. Faust read the following public eComments into the record:

Juno Enoch: expressed opposition to Ord. No. 2023-18 and expressed support for Item No. 23-0772.

K White: expressed opposition to Ord. No. 2023-18.

Jasmine Bowman: expressed support for preservation of Warm Mineral Springs (WMS).

In person public comment:

Jeffrey Scott: expressed opposition to Public Private Partnership (P3) development of WMS.

Robin San Vicente: expressed opposition to P3 development of WMS and expressed support for annexation of WMS.

James Strawser: expressed opposition to Ord. No. 2023-18.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Vice Mayor White, seconded by Commissioner McDowell, to direct the City Clerk to transmit Ordinance No. 2023-18 and related documents to the State of Florida Department of Economic Opportunity and to continue to a second reading at a date to be determined.

Commission discussion took place regarding creating separate columns for Activity Centers 7 and 7A.

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct staff to create a separate column designated as Activity Center 7A.

Commission discussion continued regarding ramifications and making amendments prior to transmittal.

The motion to amend carried on the following vote:

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

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Emrich, to un-strike and include Policy 2.7.22 and re-label it as Policy 2.7.17.

Commission discussion continued regarding policy number determination.

The motion to amend carried on the following vote:

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

The main motion as amended carried on the following vote:

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

RESOLUTION:

- I. [RES. NO. 2023-R-30](#) A Resolution of the City Commission of the City of North Port, Florida, Vacating a Portion of the Twenty Foot Utility and Drainage Easement on the Northeasterly Boundary of Lot 16, Block 248, Eighth 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 Langdon announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read by title only.

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

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell, Commissioner Stokes, Mayor Langdon, Vice Mayor White, and Commissioner Emrich disclosed no ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Mr. Benge, being duly sworn, noted the Applicant is not present and did receive prior notice, and provided a presentation including overview, applicant, property owner, request, location, floor plans, review process, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There was no rebuttal by Staff.

There was no public comment.

Commission questions and discussion took place regarding permit and inspection process and pool versus deck area.

There was no closing argument by Staff.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to adopt Resolution No. 2023-R-30 as presented. The motion carried on the following vote:

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

7. GENERAL BUSINESS:

- A. [23-0692](#) Discussion and Possible Direction Regarding Changes to the City Fee Structure, Appendix A to the Code of the City of North Port, Florida,

Including but not limited to, Building Fees, Fire Rescue Fees, Police Fees, Parks and Recreation Fees, Facility Rental Fees, Solid Waste Fees, Utility Fees, and Road and Drainage Fees.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding justifying proposed fees.

Ms. Slayton spoke to fee regulations and requirements.

Commission questions and discussion continued regarding monitoring time and cost effectiveness of services, default payment options, Parks and Recreation fees inclusion of sales tax, and City budget requirements.

Ms. Pfundheller provided a presentation regarding the Aquatic Center fiscal year (FY) 2024 proposed fees including options 1 through 3, historical admission and revenue, and area attractions.

Commission questions and discussion continued regarding covering costs, self-sustaining goal, adult versus child admission fee, fee history, conformity with Sarasota County, age restrictions, potential amendments using Option 1, and family and seasonal passes.

There was no public comment.

B. [23-0768](#)

Discussion and Possible Action Regarding Potentially Amending the City of North Port Unified Land Development Code to Allow Temporary Housing Options Inside City Limits and Potentially Declaring a Housing Emergency Due to Hurricane Ian.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Slayton spoke to recommended procedure regarding discussion.

Commissioner McDowell spoke to the item including citizens effected, living conditions, providing assistance, emergency housing options, and Federal Emergency Management Agency (FEMA) manufactured housing units (MHU) location and timeline limitations.

Commission questions and discussion took place regarding assisting citizens, Holiday Park as a location for MHUs, age restriction, point of contact, acreage requirements, location requirements, City water and sewer requirements, travel trailers, lot and utility costs responsibility, timeline, and City inspections.

Public comment:

In person public comment:

Robin San Vicente: expressed clarity regarding providing assistance to citizens.

Commission requested City Manager to contact Ms. San Vicente regarding assistance information.

Recess was taken from 2:38 p.m. to 2:48 p.m.

C. [23-0772](#)

Discussion and Possible Action Regarding Potential Violations of the City Charter and Employment Contract as Outlined by the Complaint Filed by Commissioner McDowell Against City Manager Jerome Fletcher.

Mayor Langdon announced the item.

Ms. Faust introduced the item.

Commissioner McDowell spoke to the item including Charter requirements, Commission and City Manager roles, authority limitations, complaint filed, and documents provided.

Commission questions and discussion took place regarding postponing discussion until conflict resolution session, conflict resolution purpose versus complaint filed, Charter requirements, and Commission role and duties.

Mr. Fletcher spoke to staff response to complaint filed.

Ms. Slayton clarified findings relating to Resolution No. 2019-R-07 and the Human Resources Investigation Policy for Charter Position.

Public comment:

Ms. Faust read the following public eComments into the record:

Jasmine Bowman: expressed support for Item No. 23-0772.

K White: expressed support for Item No. 23-0772.

Ms. Faust read the following public comment cards into the record of those supporting or opposing:

James Strawser: support for Item No. 23-0772.

In person public comment:

Robin San Vicente: expressed concern regarding clarity and expressed support for immediate discussion.

Conni Brunne: expressed support for Item No. 23-0772.

Mark Frandsen: spoke to City Manager qualifications and actions.

Jeffrey Scott: expressed support for Item No. 23-0772.

Susan Gastony: expressed support for Item No. 23-0772.

Michelle Pozzie: expressed support for Item No. 23-0772.

Commission questions and discussion continued regarding Commission role and duties, authority, and Charter requirements.

Without objection, Mayor Langdon allowed for additional in person public comment:

Justin Willis: expressed concern regarding clarity and expressed support for immediate discussion.

Commission questions and discussion continued regarding postponing discussion, City Manager role and duties, and strategic planning.

Mayor Langdon passed gavel to Vice Mayor White.

A motion was made by Mayor Langdon, seconded by Vice Mayor White, to

continue Item No. 23-0772 to the June 6, 2023 Commission Meeting. The motion carried on the following vote:

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

No: 1 - Commissioner McDowell

Commissioner McDowell dissented due to need for immediate discussion and possible action.

8. PUBLIC COMMENT:

In person public comment:

Michelle Pozzie: expressed concern regarding postponing discussion for Item No. 23-0772.

Justin Willis: expressed concern regarding postponing discussion for Item No. 23-0772.

9. COMMISSION COMMUNICATIONS:

- A.** [23-0407](#) Mayor Langdon's Communications
Mayor Langdon reported on important topics.
- B.** [23-0408](#) Vice Mayor White's Communications
Vice Mayor White reported on important topics and events attended.
- C.** [23-0409](#) Commissioner Emrich's Communications
Commissioner Emrich reported on events attended.
- D.** [23-0410](#) Commissioner McDowell's Communications
Commissioner McDowell reported on important topics and events attended.
- E.** [23-0411](#) Commissioner Stokes' Communications
Commissioner Stokes reported on important topics.

10. ADMINISTRATIVE AND LEGAL REPORTS:

Ms. Faust did not have a report.

Ms. Slayton did not have a report.

Mr. Fletcher expressed gratitude to staff.

11 ADJOURNMENT:

Mayor Langdon adjourned the meeting at 3:32 p.m.

City of North Port, Florida

By: _____
Barbara Langdon, Mayor

Attest: _____
Heather Faust, City Clerk

These minutes were approved on the ____ day of _____, 2023.