



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, September 26, 2023

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor Langdon called the meeting to order at 6:00 p.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, Deputy City Attorney Michael Golen, City Clerk Heather Faust, Recording Secretary Matthew Powell, Development Services Director Alaina Ray, Development Services Assistant Director Lori Barnes, Planner III Carl Bengé, Deputy Police Chief Chris Morales, and Fire Chief Scott Titus

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Carmine Miranda.

1. APPROVAL OF AGENDA

Mayor Langdon requested a motion.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, 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:

Mayor Langdon spoke to public comment decorum.

Ms. Faust played the following voicemail public comments into the record:
Jayme Buchanancarter: expressed opposition to Ordinance No. 2023-25.
Lisa Buchanan: expressed opposition to Ordinance No. 2023-25.

Julie Gage: expressed opposition to Ordinance No. 2023-26.
David Barnes: expressed opposition to Ordinance No. 2023-25.
Patty Connor: expressed opposition to Ordinance No. 2023-25.
Cole Goracke: expressed opposition to Ordinance No. 2023-25.
John Durrance: expressed opposition to Ordinance No. 2023-25.
Terry Peeler: expressed opposition to Ordinance No. 2023-25.
John: expressed opposition to Ordinance No. 2023-25.
Vanessa: expressed opposition to Ordinance No. 2023-25.
Nakilia Shelly: expressed opposition to Ordinance No. 2023-25.
Kathy Smeach: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Marilee Greene: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
William Dugan: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Andy Smeach: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Lorraine Cane: expressed opposition to Ordinance No. 2023-25.
S.P.: expressed opposition to Ordinance No. 2023-25.

Ms. Faust read the following eComments into the record:

Jasmine Bowman: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Jennifer Anderson: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Jason Bramlitt: expressed opposition to Ordinance No. 2023-26.
Jennifer Bramlitt: expressed opposition to Ordinance No. 2023-26.
Gretchen Finewood: expressed opposition to Ordinance No. 2023-25.
Linda Blake: expressed opposition to Ordinance No. 2023-25.
Alexis O'Malley: expressed opposition to Ordinance No. 2023-25.
Paula Albritton: expressed opposition to Ordinance No. 2023-25.
Bobby Schotte: expressed support for City policy and actions.
Keri Pace: expressed opposition to Ordinance No. 2023-25.
Carol Swanson: expressed opposition to Ordinance No. 2023-25.
Lynn McCloud: expressed opposition to Ordinance No. 2023-25.
Claira Glass: expressed opposition to Ordinance No. 2023-25.

In person public comment:

Carmine Miranda: expressed opposition to high density residential zoning.
Virginia Lewis: expressed opposition to City policy and actions.
Jodie Vaughn: expressed opposition to Ordinance No. 2023-26.
Sandy Buehn-Sohl: expressed opposition to Ordinance No. 2023-26.
Michelle Pozzie: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.
Juno Enoch: expressed opposition to Ordinance No. 2023-25.

3. ANNOUNCEMENTS

A. [23-0445](#) 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.

There was no public comment.

Mayor Langdon requested a motion.

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

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

- A.** [23-0226](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with P.M.S. Petroleum Maintenance and Service, Inc., for Generator Hook-up Under Purchase Order No. 049573 in an Amount Not to Exceed \$2,000.
This item was approved on the Consent Agenda.
- B.** [23-0253](#) Ratification of City Manager's Use of Emergency Authorization of Purchase Order No. 49571 With W.W. Grainger for Personal Protective Equipment in an Amount Not to Exceed \$4,216.90.
This item was approved on the Consent Agenda.
- C.** [23-0321](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Ajax Building Company, LLC for Roof Repairs Under Purchase Order No. 49633 in an Amount Not to Exceed \$548,437.00.
This item was approved on the Consent Agenda.
- D.** [23-0322](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Kimley-Horn and Associates, Inc. for Engineering Services Under Purchase Order No. 49630 in an Amount Not to Exceed \$10,000.00.
This item was approved on the Consent Agenda.
- E.** [23-1296](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With MG Electrical Developers, INC for Repairs to Damaged Electrical Services at Lift Stations 12, 19, 34, 42, and 68, Not to Exceed \$35,455.00.
This item was approved on the Consent Agenda.
- F.** [23-1268](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Data Flow Systems, Inc. to Perform Emergency Restoration to City Wastewater Collection System's SCADA System Under Purchase Order 049586 in an Amount Not to Exceed \$58,802.00.
This item was approved on the Consent Agenda.
- G.** [23-1315](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Sylvester Excavating, Inc. to Perform Emergency

Restoration to the Sumter Boulevard and Price Boulevard Water Main That Was Washed Out Due to Hurricane Ian Under Purchase Order No. 049734 Not to Exceed \$147,840.00.

This item was approved on the Consent Agenda.

- H. [23-1170](#) Approve First Amendment to Contract No. 2022-35 for the Construction of the Marina Park Restrooms with C & T Contracting Services, LLC for an Additional Amount of \$32,891, Plus a Construction Contingency of \$7,460, for a Total Estimated Contract Price of \$228,121.

This item was approved on the Consent Agenda.

- I. [23-1151](#) Approve Second Amendment to Interlocal Agreement Between City of North Port, Florida, and Charlotte County for Design, Engineering, and Permitting of Joint Road Widening Project in the Amount of \$65,780.00 for a Total Not to Exceed Amount of \$462,940.00.

This item was approved on the Consent Agenda.

- J. [23-1342](#) Approve the Second Amendment to the 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 the Consent Agenda.

- K. [23-1231](#) Approve the Law Enforcement ISO ClaimSearch Access Memorandum of Understanding Between the National Insurance Crime Bureau and the City of North Port, Florida, on Behalf of the North Port Police Department, for Access to Information Related to Insurance Crime and Fraud at No Cost to the City of North Port, Florida.

This item was approved on the Consent Agenda.

- L. [23-1256](#) Approve Renewal of Property and Casualty, Accidental and Dismemberment (AD&D) Insurance With Gehring Group a Risk Strategies Company for Fiscal Year 2023-2024 in the Amount of \$2,283,189.

This item was approved on the Consent Agenda.

- M. [23-1324](#) Approve the Thomson Reuters General Terms and Conditions, the Thomson Reuters Order Form Order ID Q-07048635, and the Addendum to Order Form Order ID Q-07048635 for Westlaw Legal Research Services for a 36-Month Term and a Total Cost of \$25,716.40.

This item was approved on the Consent Agenda.

- N. [23-1344](#) 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) of the Code of the City of North Port, Florida.

This item was approved on the Consent Agenda.

- O. [23-1394](#) Approve the Public Emergency Medical Transport (PEMT) Letter of Agreement With the Agency for Health Care Administration (ACHA) in the Amount of \$208,062.72.

This item was approved on the Consent Agenda.

- P. [23-1348](#) Approve the Agreement for Director of Emergency Medical Service Systems Between Global EMS, LLC and The City of North Port to Provide Medical Direction Services to North Port Fire Rescue in the Amount of \$46,400 for Year 1, \$47,800 in Year 2, and \$49,200 in Year 3.

This item was approved on the Consent Agenda.

- Q. [23-1370](#) Approve the Water and Wastewater Utility Developer Agreement Between the City of North Port and Bristol Edward Rudolf Revocable Trust.

This item was approved on the Consent Agenda.

- R. [23-1395](#) Approve the September 5, 2023 Commission Workshop Meeting Minutes and the September 7, 2023 Commission Special and Regular Meeting Minutes.

This item was approved on the Consent Agenda.

5. PUBLIC HEARINGS:

ORDINANCE - First Reading

- A. [ORD. NO. 2023-25](#) An Ordinance of the City of North Port, Florida, Amending the Future Land Use from Agricultural, Estates to Industrial for a +/- 55.02 Acre Area and to High Density Residential for a +/- 262.34 Acre Area Generally Located North of Interstate 75 and East of Toledo Blade Boulevard; Amending the City of North Port Comprehensive Plan Chapter 2, Future Land Use Map 2-7; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; 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 requested a motion to direct the City Clerk to read by title only.

A motion was made by Commissioner Stokes, 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

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

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell disclosed agenda briefing discussion relating to public notice compliance, emails sent and received, phone calls with citizens, viewing the September 7, 2023 Planning and Zoning Advisory Board Meeting, and public comments provided outside of testimony.

Commissioner Stokes disclosed agenda briefing discussion.

Mayor Langdon disclosed agenda briefing discussion.

Vice Mayor White disclosed agenda briefing discussion relating to future land use maps.

Commissioner Emrich disclosed agenda briefing discussion relating to area map and phone calls with citizens.

Ms. Faust stated aggrieved parties Pamela Tokarz and Carolyn Price.

Jeffery Boone, Boone Law Firm, and Kenrick Gallander, RWA Engineering, both being duly sworn, provided a presentation including overview, location, project team, property, aerial view, Comprehensive Plan map amendment request, future land use map and element, light industrial land uses, mixed-residential land uses, consistency with the Comprehensive Plan and Unified Land Development Code (ULDC), transportation element, conservation and coastal zone management element, Development Master Plan (DMP), compliance with Florida Statutes, development plan map, housing types, recommendations, land preservation, high density residential designation, buffering, and requested approval.

James White, Weiss Serota Helfman Cole and Bierman, and Mr. Bengé, both being duly sworn, provided a presentation including public notice compliance, staff report typographical error relating to date received, overview, applicant, property owner, request, location, history, aerial view, large-scale amendment, acreage, future land use map, compliance with the Comprehensive Plan and Florida Statutes.

Pamela Tokarz, aggrieved party, being duly sworn, provided a presentation including neighborhood map, impact on local residents, wildlife impact, property value impact, light industrial versus agricultural land uses, Florida Statute 163.3163, neighborhood meeting, traffic impact, high density residential, chemical containment limitations, employment opportunities, roadway limitations, national flood hazard layer map, nation wetlands inventory map, development plan map, eagle nests map, Comprehensive Plan, previous property owners, and development intent.

Carolyn Price, aggrieved party, being duly sworn, spoke to future land use element, impact on local residents, traffic impact, stormwater impact, light industrial versus agricultural land uses, connectivity, wetlands impacted, neighborhood compatibility, employment opportunities, residential designation, and property value impact.

Mr. Boone provided a rebuttal regarding objection to voicemail public comments, wetlands preservation, light industrial zoning approval, DMP process, stormwater requirements, Southwest Florida Water Management District (SWFWMD) permit process, environmental preservation permits, traffic impact requirements, Florida Statute 163.3163, and zoning determination.

Ms. Ray, being duly sworn, provided a rebuttal regarding location, land preservation,

annexation intent, comparable developments, residential designation, housing type requirements, utilities service impact, wetlands preservation, industrial land percentage, activity center development, and stormwater requirements.

Ms. Tokarz provided a rebuttal regarding wetlands impacted, light industrial land uses, zoning determination, neighborhood compatibility, and affordable housing.

Ms. Price provided a rebuttal regarding stormwater impact, property value impact, traffic impact, and affordable housing.

Recess was taken from 8:02 p.m. to 8:07 p.m.

Public comment:

Virginia Lewis: being duly sworn, expressed opposition and concern for environmental impact.

Heidi Choiniere: being duly sworn, expressed opposition and concern for impact on local residents and environmental impact.

Jennifer Nicol: being duly sworn, expressed opposition and concern for impact on local residents, neighborhood compatibility, and future land uses.

Susan Balmer: being duly sworn, expressed opposition and concern for impact on local residents, traffic impact, and land preservation.

Kim Peeler: being duly sworn, expressed opposition and concern for impact on local residents, future land uses, and neighborhood compatibility.

Craig Beal: being duly sworn, expressed opposition and concern for impact on local residents, environmental impact, and future land uses.

Richard Cain: being duly sworn, expressed opposition and concern for stormwater impact, impact on local residents, and neighborhood compatibility.

Mary Jude Moffat: being duly sworn, expressed opposition and concern for employment opportunities, future land uses, and buffer requirements.

Linda Riley: being duly sworn, expressed opposition and concern for development intent and zoning designation.

Commission questions and discussion took place regarding acreage designated as residential, maximum dwelling units per acre and density amendment potential, residential density determination, wetlands impacted and omitted from development plan map, neighborhood meeting estimated employment opportunities discrepancy, parcel division and annexation intent, agricultural land uses, industrial land use percentage, current industrial businesses and non-compliant land uses, DMP process and relationship to future land use amendment, wetlands acreage, grant funding requirements, current zoning designation, surrounding area compatibility, comparable development mixes, traffic impact discussion timeline relating to DMP process, housing type diversity, potential ULDC amendments relating to dwelling units per acre, Live Local Act impact, Comprehensive Plan Objective 3 and Policy 3.3, infrastructure costs, and higher quality wetlands definition.

Ms. Tokarz provided a closing argument regarding wetlands impacted, roadway accessibility, impact on local residents, future land use, zoning designation, and development options.

Ms. Price did not provide a closing argument.

Mr. Bengé did not provide a closing argument.

Mr. Boone provided a closing argument regarding light versus heavy industrial, location,

industrial land use percentage, land preservation, DMP process, development intent, stormwater mitigation, permits required, wetlands preserved, and requested approval.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to deny Petition No. CPAL-22-247 via Ordinance 2023-25 because it is not consistent with North Port Comprehensive Plan Future Land Use Element failing to meet Goal 1, Objective 3, and Policy 3.3. The motion failed on the following vote with Vice Mayor White, Mayor Langdon, and Commissioner Stokes dissenting:

Yes: 2 - Commissioner Emrich and Commissioner McDowell

No: 3 - Mayor Langdon, Vice Mayor White and Commissioner Stokes

A motion was made by Commissioner Stokes, seconded by Vice Mayor White, to continue Ordinance No. 2023-25 to a second reading on a date to be determined.

Commission discussion continued regarding document transmittal.

The motion carried on the following vote with Commissioner McDowell dissenting due to no answer provided relating to Future Land Use Element Goal 1 economic benefit, environmental degradation, 18 percent goal versus 16 percent proposed non-residential development, unknown dwelling unit density, potential Live Local Act impact, surrounding area incompatibility, and Commissioner Emrich dissenting due to excessive variables, open-endedness, environmental and wildlife impacts, and neighborhood incompatibility:

Yes: 3 - Mayor Langdon, Vice Mayor White and Commissioner Stokes

No: 2 - Commissioner Emrich and Commissioner McDowell

Recess was taken from 9:32 p.m. to 9:42 p.m.

B. [ORD. NO. 2023-26](#)

An Ordinance of the City of North Port, Florida, Rezoning +/- 55.02 Acres Located East of Toledo Blade Boulevard Approximately 1 Mile North of I-75 in Section 6, Township 39 South, Range 22 East of Sarasota County as Described in Instrument No. 2023042804 in Official Records of Sarasota County, from No Zoning Designation District (NZD) Classification to Industrial Light Warehousing District (ILW) District Classification; Amending the Official Zoning Map; Providing for Findings; Providing for Filing of Approved Documents; 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 requested a motion to direct the City Clerk to read by title only.

A motion was made by Commissioner Stokes, 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

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

Mayor Langdon called for disclosure of ex-parte communications.

Commissioner McDowell disclosed agenda briefing discussion relating to public notice compliance, emails sent and received, phone calls with citizens, viewing the September 7, 2023 Planning and Zoning Advisory Board Meeting, and public comments provided outside of testimony.

Commissioner Stokes disclosed agenda briefing discussion.

Mayor Langdon disclosed agenda briefing discussion.

Vice Mayor White disclosed agenda briefing discussion relating to future land use maps.

Commissioner Emrich disclosed agenda briefing discussion relating to area map and phone calls with citizens.

Ms. Faust stated aggrieved parties Pamela Tokarz and Carolyn Price.

Jeffery Boone, Boone Law Firm, and Kenrick Gallander, RWA Engineering, both being duly sworn, provided a presentation including rezoning request, aerial overview, consistency with the Comprehensive Plan and Unified Land Development Code (ULDC), industrial/light warehouse, no zoning designation, economic development element, opportunities and benefits, Development Master Plan (DMP) process, recommendations, and requested approval.

Mr. Bengé, being duly sworn, provided a presentation including timeline, overview, applicant, property owner, request, location, history, aerial view, funding, employment opportunities, future land use map, current and proposed zoning, compliance with the Comprehensive Plan and Florida Statutes, and requested approval.

Carolyn Price, aggrieved party, being duly sworn, spoke to future land use element, impact on local residents, traffic impact, property value impact, grant funding, employment opportunities, development intent, stormwater impact, roadway accessibility, and neighborhood compatibility.

Pamela Tokarz, aggrieved party, being duly sworn, spoke to ULDC requirements, future land use element, connectivity, traffic impact, stormwater impact, buffer requirements, property value impact, neighborhood compatibility, and utility requirements,

Mr. Boone provided a rebuttal regarding objection to voicemail public comments, wetlands preservation, light industrial zoning approval, DMP process, stormwater requirements, Southwest Florida Water Management District (SWFWMD) permit process, environmental preservation permits, traffic impact requirements, Florida Statute 163.3163, and zoning determination.

Mr. Bengé provided a rebuttal regarding residential multi-family aspects versus industrial, location, land preservation, annexation intent, comparable developments, residential designation, housing type requirements, utilities service impact, wetlands preservation, industrial land percentage, activity center development, and stormwater requirements.

Ms. Price provided a rebuttal regarding stormwater impact, property value impact, traffic impact, affordable housing, wildlife impact, noise concerns, and wetland preservation.

Ms. Tokarz provided a rebuttal regarding residential versus industrial, future land use, and

zoning designation.

Public comment:

Jennifer Nicol: being duly sworn, expressed opposition and concern for impact on local residents, ULDC requirements, traffic impact, and neighborhood compatibility.

Kim Peeler: being duly sworn, expressed opposition and concern for neighborhood compatibility, employment opportunities, and traffic impact.

Susan Balmer: being duly sworn, expressed opposition and concern for future land use, wetlands impacted, zoning designation, neighborhood compatibility, and development impact.

Craig Beal: being duly sworn, expressed opposition and concern for development plans, traffic impact, and wetlands impacted.

Mary Jude Moffat: being duly sworn, expressed opposition and concern for neighborhood compatibility, grant funding, and impact on local residents.

Commission questions and discussion took place regarding floor area ratio (FAR) composition relating to building versus parking lot or stormwater, wetlands mitigation, surrounding area zoning compatibility and accessibility, extending Toledo Blade Boulevard, traffic impact study methodology, timeline, current service level, and two versus four lanes.

Ms. Price provided a closing argument regarding roadway accessibility.

Ms. Tokarz provided a closing argument regarding neighborhood compatibility, employment opportunities, zoning designation, and traffic impact study timeline.

Mr. Bengé provided a closing argument regarding industrial land use designation.

Mr. Boone provided a closing argument regarding zoning designation, grant funding, DMP process, traffic impact study timeline, annexation intent, stormwater mitigation, permit requirements, and consistency with the Comprehensive Plan and ULDC.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Vice Mayor White, seconded by Commissioner Stokes, to continue Ordinance No. 2023-26 to a second reading on a date to be determined and find that, based on the competent substantial evidence, the rezoning will not adversely affect the interest, health, safety and general welfare; and that the specific requirements in the City of North Port Comprehensive Plan, and the Standards listed in Section 1-33. E (1) of the Unified Land Development Code have been met. The motion carried on the following vote with Commissioner Emrich dissenting due to excessive variables, open-endedness, environmental and wildlife impacts, neighborhood incompatibility and Commissioner McDowell dissenting due to surrounding area and neighborhood incompatibility, Comprehensive Plan amendment, and unintended consequences of the Live Local Act:

Yes: 3 - Mayor Langdon, Vice Mayor White and Commissioner Stokes

No: 2 - Commissioner Emrich and Commissioner McDowell

ORDINANCE - Second Reading:

- C. [ORD NO. 2023-19](#) An Ordinance of the City of North Port, Florida, Adopting the Toledo Village, Village District Pattern Plan for a ±2,086 Acre Area Located North

of Interstate 75, East of Toledo Blade Boulevard, West of Orange Hammock Wildlife Management Area, and South of the City of North Port Municipal Boundary; Amending the Unified Land Development Code, Chapter 53, Article XVIII – V Village, Section 53-214 Subsection F to Incorporate the Pattern Plan by Reference; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; 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 Ordinance 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.

Jackson Boone, Boone Law Firm, being duly sworn, spoke to changes since first reading and requested approval.

Mr. Bengel, being duly sworn, spoke to changes since first reading and requested approval.

There were no rebuttals by the Applicant or Staff.

Public comment:

Pamela Tokarz: expressed support for increasing commercial acreage.

Commission questions and discussion took place regarding missing changes incorporated into second reading Ordinance relating to village center inclusion and typographical error correction relating to western versus eastern.

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 Stokes, to adopt Ordinance No. 2023-19 as presented including the two edits discussed at this meeting to be included in the final Ordinance for adoption. The motion carried on the following vote:

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

D. [ORD. NO. 2023-20](#)

An Ordinance of the City of North Port, Florida, Related to the Operation of Mobile Food Vendors at the Warm Mineral Springs Park; Amending the Code of the City of North Port, Florida, Section 34-1; 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 Vice Mayor White, to adopt Ordinance No. 2023-20 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

E. [ORD. NO. 2023-23](#)

An Ordinance of The City of North Port, Florida, Related to Lodging Out-of-Doors on Private and City-Owned Property; Creating a New Section 46-4 of The Code of The City of North Port, Florida; Repealing Chapter 46, Article V – Camping, of The Code of The City of North Port, Florida; Providing for Findings; Providing for Conflicts; Providing for Severability; 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 Stokes, seconded by Commissioner Emrich, to adopt Ordinance No. 2023-23 as presented. The motion carried on the following vote:

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

F. [ORD. NO. 2023-24](#)

An Ordinance of the City of North Port, Florida, Regarding Parking and Storage of Certain Vehicles on Residential Lots; Amending the Code of the City of North Port, Florida, Section 59-1 and Section 59-2; and Repealing Section 59-16 of the Code of the City of North Port, Florida; 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 Homeowners Association (HOA) parking standards and exemptions relating to public right-of-way.

Ms. Faust read the following eComments into the record:

Jennifer Bramlitt: expressed opposition to parking enforcement.

Jason Bramlitt: expressed opposition to parking enforcement.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Vice Mayor White, seconded by Commissioner Stokes, to adopt Ordinance No. 2023-24 as presented. The motion carried on the following vote with Commissioner McDowell dissenting due to disallowing parking on easements belonging to property owner and property owner should not be responsible for damages to right-of-way with no provisions to plead case:

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

No: 1 - Commissioner McDowell

Recess was taken from 11:12 p.m. to 11:17 p.m.

6. GENERAL BUSINESS:

A. [23-1408](#)

Discussion and Possible Action Regarding the City Manager's Annual Evaluation and Amendment to the City Manager's Employment Agreement Relating to Term and Notice Requirements for Termination and Resignation.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding reviewing amended agreement, resignation stipulations, and timeline.

Ms. Faust read the following eComment into the record:

Maria Leslie: expressed concern for City Manager actions.

Mayor Langdon requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to direct the City Attorney to draft amendments to the City Manager's contract relating to term and notice requirements for termination and resignation. The motion carried on the following vote:

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

Commission questions and discussion continued regarding salary increase range, projects completed, commendations, accomplishments, goals, and employee salary percent increases.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes,

to approve a 5 percent salary increase for the City Manager based on his performance evaluation, effective on his anniversary date of October 1, 2023. The motion carried on the following vote with Commissioner McDowell dissenting due to 4 percent being more appropriate and comparable to employee salary increases:

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

No: 1 - Commissioner McDowell

B. [23-1422](#)

Discussion and Possible Action Regarding Personal Banners Affixed to City Infrastructure to Honor Local Military Service Members.

Mayor Langdon announced the item.

Commissioner McDowell introduced the item and spoke to the Hometown Heroes Program, banner description and funding, intent, location, Veterans Park Ad Hoc Committee input, and timeline.

Commission questions and discussion took place regarding applicant variety, banner funding, and location determination.

Patty Connors, citizen, spoke to the Hometown Heroes Program and intent.

Commission questions and discussion continued regarding community benefits, costs, hometown heroes' definition, applicant requirements relating to military personnel versus hometown heroes, and Veterans Park Ad Hoc Committee role.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct the City Manager to bring back information and logistics on implementing a banner system program honoring military veterans and active duty.

A motion to amend was made by Commissioner Emrich, seconded by Vice Mayor White, to include other hometown heroes. 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

7. PUBLIC COMMENT:

Ms. Faust read the following eComments into the record:

Elaine Prince: expressed opposition to Ordinance No. 2023-25.

Maria Leslie: expressed opposition to Ordinance Nos. 2023-25 and 2023-26.

Rich C: expressed opposition to Ordinance No. 2023-26.

8. COMMISSION COMMUNICATIONS:

- A. [23-1061](#) Mayor Langdon's Communications
Mayor Langdon did not provide a report.
- B. [23-1062](#) Vice Mayor White's Communications
Vice Mayor White did not provide a report.
- C. [23-1063](#) Commissioner Emrich's Communications
Commissioner Emrich did not provide a report.
- D. [23-1064](#) Commissioner McDowell's Communication
Commissioner McDowell provided a written report.
- E. [23-1065](#) Commissioner Stokes' Communications
Commissioner Stokes did not provide a report.

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [23-1421](#) City Manager Monthly Report
Mr. Fletcher did not provide a report.
- B. [23-1240](#) City Attorney's Monthly Report
Mr. Golen did not provide a report.
- C. [23-0433](#) City Clerk Report
Ms. Faust did not provide a report.

10. ADJOURNMENT:

Mayor Langdon adjourned the meeting at 11:55 p.m.

City of North Port, Florida

By: _____
Barbara Langdon, Mayor

Attest: _____
Heather Faust, City Clerk