



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 23, 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, City Attorney Amber Slayton, City Clerk Heather Faust, Recording Secretary Matthew Powell, Deputy Police Chief Chris Morales, Acting Fire Chief Nick Herlihy, Public Works Director Chuck Speake, Development Services Director Alaina Ray, and Planner III Carl Bengé

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Vice Mayor Alice White.

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 amended to hear Ordinance No. 2023-13 before Ordinance No. 2023-12. The motion carried on the following vote:

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

2. PUBLIC COMMENT:

Valdy Olender: expressed concern regarding City policy and actions.

3. ANNOUNCEMENTS

- A. [23-0439](#) 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 Emrich, seconded by Commissioner McDowell, 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. [23-0246](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Carlton Sarasota, L.L.C. for Land Lease Under Purchase Order No. 049762 in an Amount Not to Exceed \$60,000.00.

This item was approved on the Consent Agenda.

- B. [23-0368](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Iron Bow Technologies, LLC for Security Camera Repairs Under Purchase Order No. 049993 in an Amount Not to Exceed \$13,284.80

This item was approved on the Consent Agenda.

- C. [23-0369](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Nova Pole Industries Inc for Lighting Products Under Purchase Order No. 049996 in an Amount Not to Exceed \$48,145.00.

This item was approved on the Consent Agenda.

- D. [23-0370](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Utility Structures, Inc for Lighting Products Under Purchase Order No. 049994 in an Amount Not to Exceed \$9,995.00.

This item was approved on the Consent Agenda.

- E. [23-0371](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Contract With Pemco Lighting Products, Inc. for Lighting Products Under

Purchase Order No. 049995 in an Amount Not to Exceed \$224,165.00.

This item was approved on the Consent Agenda.

- F. [23-0762](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Ajax Paving Industries of Florida for Road Paving Under Purchase Order No. 49635 in an Amount Not to Exceed \$350,000.00.

This item was approved on the Consent Agenda.

- G. [23-0759](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with ZEP Construction, Inc. for Repair Services of Fixed Weir No. 123 Under Purchase Order No. 049989 in an Amount Not to Exceed \$470,756.06.

This item was approved on the Consent Agenda.

- H. [23-0734](#) Approve Multi-Award Continuing Services Contracts for Professional Architectural Services and Authorize the City Manager to Approve Future Renewals of Agreements for Contract No. 2023-16.01 with ADG Architecture, LLC; Contract No. 2023-16.02 with Goodwyn Mills & Cawood, Inc.; Contract No. 2023-16.03 with Plunkett Raysich Architects, LLP; Contract No. 2023-16.04 with Schenkel & Shultz, Inc.; and Contract No. 2023-16.05 with Sweet Sparkman Architects, Inc.

This item was approved on the Consent Agenda.

- I. [23-0740](#) Approve Multi-Award Continuing Services Contracts for Construction Manager at Risk Preconstruction Services, Phase 1, and Authorize the City Manager to Approve Future Renewals of Agreements for Contract No. 2023-17.001 with Wharton-Smith, Inc.; Contract No. 2023-17.002 with Halfacre Construction Company; Contract No. 2023-17.003 with Ajax Building Company, LLC; Contract No. 2023-17.004 with Jon F. Swift, Inc.; and Contract No. 2023-17.005 Willis A. Smith Construction, Inc.

This item was approved on the Consent Agenda.

- J. [23-0605](#) Approve Memorandum of Understanding Between the Patterson Foundation and the City of North Port to Support the Suncoast Campaign for Grade-Level Reading Within Summer Camp.

This item was approved on the Consent Agenda.

- K. [23-0761](#) Approve the Memorandum of Understanding Between the City of North Port, Florida, on Behalf of the North Port Police Department and the United States Secret Service Establishing the Procedures and Responsibilities of Both Parties for Work Performed Under the Cyber Fraud Task Forces.

This item was approved on the Consent Agenda.

- L. [23-0764](#) Approve Memorandum of Understanding Between the City of North Port

and the Southwest Florida Police Benevolent Association, Inc., (PBA) Relating to Sergeant and Police Officer Compensation.

This item was approved on the Consent Agenda.

- M. [23-0771](#) Approve the Agreement Between Imagine School at North Port, Inc. and City of North Port for the School Resource Officer Program, in the Total Amount of \$168,020.00.

This item was approved on the Consent Agenda.

- N. [23-0815](#) Approve the Application for Merchant Account and Agreement–ACH/Check Services, Merchant Processing Application and Agreement, CardConnect Merchant Services Program Terms and Conditions, Service Fee Addendum and Affidavit of Identity-Government Employee, to Allow the Public to Safely Process Electronic Payments Through the Citizen Services Portal.

This item was approved on the Consent Agenda.

- O. [23-0833](#) Approve the Voluntary Cooperation Mutual Aid Agreement Between the Participating Agencies and the Florida Department of Law Enforcement to Form a Fort Myers Regional Operations Center Child Abduction Response Team.

This item was approved on the Consent Agenda.

- P. [23-0835](#) Approve the First Amendment to Traffic Enforcement Agreement With the West Villages Improvement District for Traffic Enforcement Services on Additional District Roads.

This item was approved on the Consent Agenda.

- Q. [23-0820](#) Approve the Appointment of Sergio Stephens as a Veteran of the American Armed Services on the Veterans Park Advisory Committee to Serve a Three-Year Term From May 23, 2023, to May 23, 2026.

This item was approved on the Consent Agenda.

5. PUBLIC HEARINGS:

ORDINANCE - First Reading

- B. [ORD. NO. 2023-13](#) An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 53, Article XVIII. - V Village Section 53-213.A; Adopting and Incorporating the Toledo Village Index Map for ±2,086 Acre Area Generally Located East of Toledo Blade Boulevard and North of Interstate 75; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date. (QUASI-JUDICIAL)

Mayor Langdon announced the item and stated this is a quasi-judicial hearing.

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

Vice Mayor White disclosed conversations during Agenda briefing.

Commissioner McDowell disclosed emails sent to staff regarding duplication of backup materials, and missing exhibits.

Ms. Faust stated there were no aggrieved parties and spoke to procedure requirements.

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

Jackson Boone, Boone Law Firm, and Rhea Lopes, RVi Planning and Landscape Architecture, both being duly sworn, provided a presentation including project team, location, property overview, history entitlement, index maps, aerial view, consistency with the Comprehensive Plan, recommendations, and requested approval.

Mr. Benge, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, property size, related ordinances, aerial view, review process, compliance with the Comprehensive Plan and Unified Land Development Code (ULDC), and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding index map missing acreage specifications, area minimums, neighborhood comparisons, staff report relating to acreage specifications, timeline relating to Village District Pattern Book (VDPB) and index map updates, and commercial development area.

There were no closing arguments by Staff.

Mr. Boone provided closing arguments including recommendations and consistency with the ULDC and Comprehensive Plan.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Emrich, seconded by Vice Mayor White, to continue Ordinance No. 2023-13 to second reading on June 13, 2023.

Commission discussion continued regarding timeline requirements.

The motion carried on the following vote:

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

A. [ORD. NO. 2023-12](#)

An Ordinance of the City of North Port, Florida, Amending the Unified Land Development Code, Chapter 53, Article XVIII. - V Village, Section 53-213.B; Adopting and Incorporating the Toledo Village Village District Pattern Book for a ±2,086 Acre Area Generally Located East of Toledo Blade Boulevard and North of Interstate 75; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing for 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 Emrich, seconded by Commissioner Stokes, 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 Stokes, Mayor Langdon, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner McDowell disclosed emails sent to staff regarding duplication of backup materials, missing exhibits, and scrivener's errors.

Vice Mayor White disclosed general questions to staff.

Ms. Faust stated there were no aggrieved parties.

Jackson Boone, Boone Law Firm, and Rhea Lopes, RVi Planning and Landscape Architecture, both being duly sworn, provided a presentation including pattern books, units, location, neighborhoods and centers, village center, greenbelts, consistency with the Comprehensive Plan, recommendations, and requested approval.

Mr. Bengé, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, property size, related ordinances, aerial view, review process, compliance with the Comprehensive Plan and Unified Land Development Code (ULDC), and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding ULDC applications relating to Village District Pattern Book (VDPB), wetlands versus surface water, commercial development within village center approval process, housing types and notification timeline, town center exclusion reasoning, affordable housing preferences, curb height concern relating to emergency services and wildlife, Toledo Blade Boulevard and

Tropicaire Boulevard stop light installation timeline and responsibilities, dwelling unit requirements, ingress and egress requirements, VDPB versus ULDC verbiage discrepancy relating to neighborhood center commercial development, and village center acreage dedicated to commercial development.

Mr. Bengé spoke to commercial development acreage and ULDC limitations.

Commission questions and discussion continued regarding amending commercial development acreage.

There were no closing arguments by Staff.

Mr. Boone provided closing arguments including recommendations and consistency with the ULDC and Comprehensive Plan.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Vice Mayor White, seconded by Commissioner Emrich, to continue Ordinance No. 2023-12 to second reading on June 13, 2023.

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Stokes, to have village centers increase 35 acres each or a total of 70 acres allocated among the two as the developer and staff see fit. The motion to amend carried on the following vote:

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

No: 1 - Mayor Langdon

Mayor Langdon dissented due to concern regarding limiting the developer and not in Commission purview.

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Stokes, to add that each neighborhood center have a commercial component added. The motion to amend carried on the following vote:

Yes: 3 - Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

No: 2 - Mayor Langdon and Vice Mayor White

Commission discussion took place regarding non-residential development.

The main motion as amended carried on the following vote:

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

Commission discussion continued regarding second reading timeline and requirements.

RESOLUTION:

- A.** [RES. NO. 2023-R-18](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting Access and Utility Easements in Wellen Park in Section 10, Township 40 South, Range 20 East, Sarasota County, Florida; Providing for Incorporation of Recitals; Approving the Easement Agreement for Groundwater Wells; Providing for Recording; 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 Resolution 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 Emrich, seconded by Commissioner Stokes, to adopt Resolution No. 2023-R-18 as presented. The motion carried on the following vote:

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

B. [RES. NO. 2023-R-34](#)

A Resolution of the City Commission of the City of North Port, Florida Accepting Ownership of Donated Real Property Located on Grenard Circle and Described as Lot 5, Block 2118, 45th Addition to Port Charlotte Subdivision, Sarasota County Property Appraiser Parcel Identification Number 1149211805; Incorporating Recitals; Providing for Filing of Documents; 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 Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding outstanding property taxes.

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 Resolution No. 2023-R-34 contingent upon property tax for Tax Year 2022 being paid in the amount of \$393.65 by the current property owner.

Commission discussion took place regarding donation process.

The motion failed on the following vote:

Yes: 2 - Commissioner McDowell and Commissioner Stokes

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

Vice Mayor White, Commissioner Emrich, and Mayor Langdon dissented due to concerns regarding requiring the donator to pay.

A motion was made by Commissioner Emrich, seconded by Commissioner

McDowell, to adopt Resolution No. 2023-R-34 as presented.

Commission discussion continued regarding amending Resolution related to paid status.

A motion to amend was made by Commissioner McDowell, seconded by Vice Mayor White, to remove the third whereas clause that states the property tax has been paid. The motion carried on the following vote:

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

Commission discussion continued regarding outstanding property tax.

Ms. Slayton spoke to City Manager authority relating to negotiations of the property.

The main motion as amended carried on the following vote:

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

Recess was taken from 7:30 p.m. to 7:40 p.m.

C. [RES. NO. 2023-R-38](#)

A Resolution of the City Commission of the City of North Port, Florida, Accepting the Conveyance of a Water Treatment Plant, Associated Warranties and Intangible Property, as Well as ±6.80 Acres of Real Property Located North of Manasota Beach Road and Described as a Tract of Land Lying in Section 9, Township 40 South, Range 20 East, Bearing Sarasota County Property Appraiser Parcel Identification Number 0809060100; Providing for Filing of Documents; 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 Resolution 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 McDowell, to adopt Resolution No. 2023-R-38 as presented. The motion carried on the following vote:

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

D. [RES. NO. 2023-R-41](#)

A Resolution of the City Commission of the City of North Port, Florida, Declaring a Housing Emergency as a Result of Hurricane Ian and Authorizing the Use of Temporary Structures on Home Sites; Providing for Automatic Repeal; Providing for Incorporation of Recitals; 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 Resolution by title only.

Mr. Fletcher introduced the item.

Commissioner Emrich spoke to concerns for length of time on property, mobile homes versus manufactured housing units (MHU), location, liability for removing structures, abandonment, easement encroachment, neighbors effected, unknown factors, and lot size limitations.

Commission questions and discussion took place regarding staff role, requirements for temporary structure placement, assisting citizens, Senate Bill 250, permitted structure types, permanency of structure, easement encroachment, alternative housing options, structure and lot size, Unified Land Development Code (ULDC) stipulations relating to housing emergency, mobile homes versus MHUs, private versus Federal Emergency Management Agency (FEMA) structures, and ULDC amendment process.

Ms. Slayton spoke to ULDC amendment process and notice requirements.

Commission questions and discussion continued regarding Holiday Park, structure removal, and structure versus lot size.

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 Resolution No. 2023-R-41 as presented. The motion carried on the following vote:

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

No: 1 - Commissioner Emrich

Commissioner Emrich dissented due to reasons stated.

6. GENERAL BUSINESS:

- A.** [23-0903](#) Discussion and Possible Action to Authorize the Mayor to Sign a Letter of Support for State Appropriations Funding in the Amount of \$1.5 Million for the Price Boulevard Waterway Crossings Project

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding including additional recipients.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to authorize the Mayor to sign a letter of support for state appropriated

funds in the amount of \$1.5 million for the Price Boulevard Waterway Crossing Project as amended to add Senator Gruters, Representative Buchanan, Representative Grant, and Lobbyist Dempsey. The motion carried on the following vote:

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

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

- A.** [23-0412](#) Mayor Langdon's Communications
Mayor Langdon reported on important topics and events attended.
- B.** [23-0413](#) Vice Mayor White's Communications
Vice Mayor White reported on important topics and events attended.
- C.** [23-0414](#) Commissioner Emrich's Communications
Commissioner Emrich reported on important topics and events attended.
- D.** [23-0415](#) Commissioner McDowell's Communications
Commissioner McDowell reported on important topics and events attended.
- E.** [23-0416](#) Commissioner Stokes' Communications
Commissioner Stokes reported on important topics and events attended.

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A.** [23-0871](#) City Manager Report
Mr. Fletcher did not provide a report.
- B.** [23-0837](#) City Attorney's Monthly Report
Ms. Slayton did not provide a report.
- C.** [23-0430](#) City Clerk Report
Ms. Faust did not provide a report.

10. ADJOURNMENT:

Mayor Langdon adjourned the meeting at 8:25 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.