



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Alice White, Mayor

Phil Stokes, Vice Mayor

Pete Emrich, Commissioner

Barbara Langdon, Commissioner

Debbie McDowell, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager

Amber L. Slayton, City Attorney

Heather Faust, City Clerk

Tuesday, February 13, 2024

10:00 AM

City Commission Chambers

CALL TO ORDER

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

ROLL CALL

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

ALSO PRESENT:

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Faust, Assistant City Clerk Matthew Powell, Police Chief Todd Garrison, Fire Chief Scott Titus, Planner III Carl Benge, Planner III Austin Grubb, Development Services Director Alaina Ray, Grants Division Manager Valerie Malingowski, and Public Works Director Chuck Speake

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Erica Gregory.

1. APPROVAL OF AGENDA

Mayor White requested a motion.

A motion was made by Commissioner Emrich, seconded by Vice Mayor Stokes, to approve the agenda as presented. The motion carried on the following vote with Commissioner McDowell dissenting due to this being the second occasion where an agenda item she requested to be placed on the agenda was denied by the City Manager and the requested item being placed on a Workshop agenda where motions are not permitted:

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

No: 1 - Commissioner McDowell

2. PUBLIC COMMENT:

Ms. Faust read the following eComment into the record:

Vladimir Brovchenko: expressed support for excessive lighting restriction within property standard requirements.

In person public comment:

Erica Gregory: spoke to Representative Steube support and district trending topics.

3. ANNOUNCEMENTS**A. [24-0205](#) Announcement of Current Advisory Board and Committee Vacancies**

Mayor White 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 White announced the item and queried the City Manager regarding items pulled from the consent agenda for discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve the consent agenda as presented. The motion carried on the following vote:

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

A. [24-0009](#) Approve the Drone Replacement Program Financial Assistance Agreement Between Florida Department of Law Enforcement (FDLE) and City of North Port, and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute Any Additional Funding Documents After Legal Review, Should the Grant be Awarded to the City.

This item was approved on the consent agenda.

B. [24-0036](#) Approve Amendment #1 to Work Assignment No. 2022-03 With WSP USA Environmental & Infrastructure, Inc. to Complete a Geotechnical Survey at the Myakkahatchee Creek Environmental Park for an Additional \$11,094.00 for a Total Work Assignment Price of \$106,738.20.

This item was approved on the consent agenda.

C. [24-0038](#) Approve the Acceptance of The Harry Shapiro Charitable Foundation Grant in the Amount of \$25,000 for Items Purchased at the Discretion of the Chief of Police and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal

Review.

This item was approved on the consent agenda.

- D. [24-0049](#) Approve the United States Department of Agriculture Natural Resources Conservation Service Grant Agreement in the Amount of \$1,794,049.98 for Myakkahatchee Creek Maintenance and Debris Removal and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review.

This item was approved on the consent agenda.

- E. [24-0148](#) Accept the Cash Receipts Summary Report for December 2023.

This item was approved on the consent agenda.

- F. [24-0159](#) Approve the Heat Custom Vehicle Upfitting Agreement between Heat Custom Orlando Corporation and the City of North Port, Florida on Behalf of the North Port Police Department, that will Accompany an Approved Purchase in the Amount of \$35,082.88, for Upfitting a City Van into a Community Outreach Vehicle.

This item was approved on the consent agenda.

- G. [24-0160](#) 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.

- H. [24-0162](#) Approve the January 9, 2024 Commission Regular Meeting Minutes and the January 19, 2024 Commission Joint Convocation of Government Meeting Minutes.

This item was approved on the consent agenda.

- I. [24-0168](#) Approve a Water Quality Service Agreement With Commercial Energy Specialists, LLC (CES) for the Installation and Upgrade of the Pulsar® Chemical Feed System in an Amount Not to Exceed \$1,445.

This item was approved on the consent agenda.

- J. [24-0275](#) Approve Termination of the Warm Mineral Springs Park Site Access Agreement Between the City of North Port, Florida, and WMS Development Group, LLC.

This item was approved on the consent agenda.

5. PUBLIC HEARINGS:

Petitions:

- A. [CC](#) Consideration of Petition PLF-23-158, Manasota Beach Road Extension, [PLF-23-158](#) Plat No. 1. (QUASI-JUDICIAL)

Mayor White 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 White called for disclosure of ex-parte communications.

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

Ms. Faust stated there were no aggrieved parties.

Mr. Bengé, being duly sworn, noted the Applicant is not present and provided a presentation including overview, applicant, property owner, request, 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 location clarity.

There was no closing argument by Staff.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner Emrich, to approve the Manasota Beach Road Plat No.1, Petition No. PLF-23-158, and find that, based on the competent and substantial evidence, the plat is consistent with Florida Statutes Section 177.081, the Unified Land Development Code, and the North Port Comprehensive Plan. The motion carried on the following vote:

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

Resolutions:

- B. [RES. NO.](#) A Resolution of the City Commission of the City of North Port, Florida, [2024-R-09](#) Partially Terminating Grants of Easements in Sections 28, 29, 32, and 33, Township 39 South, Range 21 East Located in Sarasota County Florida; Providing for Incorporation of Recitals; Providing for Partial Termination and Release of Easements; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Mayor White 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 White closed the public hearing and requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Emrich, to adopt Resolution No. 2024-R-09 as presented. The motion carried on the following vote:

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

Ordinances:

- C. [ORD. NO. 2024-03](#) An Ordinance of the City of North Port, Florida, Annexing ± 6.89 Acres of Real Property Located in the Unincorporated Area of Sarasota County, Florida and Contiguous to the Existing City Limits of the City of North Port, Florida; Redefining the Boundary Lines of the City of North Port to Include this Property; Providing for Findings; Providing for Annexation; Amending the Official Zoning Map; Providing for Assessment and Taxation; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor White announced the item and requested a motion to direct the City Clerk to read by title only.

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

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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding zoning map scrivener's errors, Planning and Zoning Advisory Board recommendation and meeting date clarity, and contiguity determination.

There was consensus to direct the City Attorney to provide clarification regarding contiguity for second reading.

Commission questions and discussion continued regarding future annexation area redefine process and requirements.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner

McDowell, to continue Ordinance No. 2024-03 to second reading on February 27, 2024, removing the Revised Official Zoning Map on page 19 and replacing it with the correct Revised Official Zoning Map prior to second reading. The motion carried on the following vote:

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

D. [ORD. NO. 2024-01](#)

An Ordinance of The City of North Port, Florida, Adopting Certain Standards of the International Property Maintenance Code Related to the Exterior Maintenance of Non-Residential Properties, Buildings, and Structures; Amending the Code of The City of North Port, Florida, Chapter 42, Article V, Sections 42-84 Through 42-86; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor White announced the item and requested a motion to direct the City Clerk to read by title only.

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

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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding property buffers and maintenance, role in enabling Code Enforcement, and inclusion of residential properties.

Ms. Slayton spoke to title block amendment requirements.

Commission questions and discussion continued regarding demolition time limits.

Ms. Faust played the following voicemails into the record:

Nancy Anderson: expressed support for additional buffer requirements.

Dan Bidwell: expressed support for additional buffer requirements.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell to continue Ordinance No. 2024-01 to second reading on March 26, 2024, and to direct the Charter Officers to remove nonresidential in the title block and throughout the document. The motion failed due to lack of a second.

Commission discussion continued regarding title block amendment implications, timeline concerns, staff recommendations, and amendment verbiage.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to continue Ordinance No. 2024-01 to second reading on March 26, 2024, and to direct the Charter Officers to add residential properties in the title block and throughout the document.

Commission discussion continued regarding direction provided, staff recommendations, and proposed second reading date.

The motion carried on the following vote:

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

6. GENERAL BUSINESS:

- A.** [24-0173](#) Discussion Regarding the Reallocation of Coronavirus State and Local Recovery Funds in the Amount of \$2,000,000 From the Fire Station 81 Remodel Project to the Road Rehabilitation Project.

Mayor White announced the item.

Mr. Fletcher introduced the item.

Ms. Malingowski spoke to deadlines and funding allocation.

Commission questions and discussion took place regarding road rehabilitation future projects and timeline.

There was no public comment.

- B.** [24-0180](#) Discussion and Possible Action Regarding the First Amendment to the City Clerk's Employment Agreement

Mayor White announced the item.

Ms. Slayton introduced the item.

Commission questions and discussion took place regarding intent and Senate Bill relating to Charter Officer contracts.

There was no public comment.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve the first amendment to the City Clerk's Employment Agreement. The motion carried on the following vote:

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

- C.** [24-0188](#) Discussion and Possible Action Regarding Approval of the January 23, 2024 Commission Regular Meeting Minutes.

Mayor White announced the item.

Ms. Faust introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve the January 23, 2024 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

- A. [24-0235](#) Commissioner Langdon's Communications
Commissioner Langdon reported on important topics and events attended.
- B. [24-0252](#) Commissioner McDowell's Communications
Commissioner McDowell reported on important topics and events attended.
- C. [24-0271](#) Vice Mayor Stokes' Communications
Vice Chair Stokes reported on important topics and events attended.
- D. [24-0284](#) Commissioner Emrich's Communications
Commissioner Emrich reported on important topics and events attended.
- E. [24-0303](#) Mayor White's Communications
Mayor White reported on important topics and events attended.

9. ADMINISTRATIVE AND LEGAL REPORTS:

- Ms. Faust did not provide a report.
- Ms. Slayton did not provide a report.
- Mr. Fletcher did not provide a report.

10. ADJOURNMENT:

Mayor White adjourned the meeting at 11:26 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk