



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, December 12, 2023

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor White called the meeting to order at 6:00 p.m.

ROLL CALL

Present: 4 - Commissioner Pete Emrich, Commissioner Debbie McDowell, Mayor Alice White and Vice Mayor Philip Stokes

Not Present: 1 - Commissioner Barbara Langdon

ALSO PRESENT:

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Faust, Recording Secretary Matthew Powell, Fire Chief Scott Titus, Police Chief Todd Garrison, Assistant Parks and Recreation Director Trish Sturgess, Legislative Analyst Todd Miles, Assistant Director of Development Services Lori Barnes, Assistant City Manager Julie Bellia, Risk and Benefits Manager Sandy Knowles, and Public Works Director Chuck Speake

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mr. Miles.

1. APPROVAL OF AGENDA

Mayor White requested a motion.

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

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

Not Present: 1 - Commissioner Langdon

2. PUBLIC COMMENT:

Ms. Faust played the following voicemail into the record:
Tracy Deprat: expressed opposition to Ord. No. 2023-18

Commissioner Langdon arrived to the meeting at 10:04 a.m.

Ms. Faust read the following eComment into the record:
Jasmine Bowman: expressed opposition to Ord. No. 2023-18.

In person public comment:
James Strawser: expressed opposition to Ord. No. 2023-18.
Alina Stolarski: expressed opposition to Ord. No. 2023-18.
Elizabeth Dobrokolsky: expressed opposition to Ord. No. 2023-18.

3. ANNOUNCEMENTS

- A. [23-0450](#) Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

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 Commissioner Langdon, seconded by Commissioner Emrich, 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. [23-1429](#) Approve Contract No. 2022-31.001 with CHA Consulting, Inc., for Professional Construction, Engineering, and Inspection (CEI) Services for 2023 Diesel Bypass Pump Installation Project.

This item was approved on the consent agenda.

- B. [23-1435](#) Approve Contract No. 2022-31.002 with CHA Consulting, Inc. for Professional Construction, Engineering, and Inspection Services for 2023 Inflow and Infiltration Mitigation Projects Not to Exceed \$188,640.00.

This item was approved on the consent agenda.

- C. [23-1501](#) Approve the KeyTrak System Purchase, Support and Software License

Agreement, That Will Accompany a Budgeted Purchase in the Amount of \$25,267.21, to Update and Expand Fleet's Current Key Cabinet System.

This item was approved on the consent agenda.

- D. [23-1525](#) Approve Amendment No. 1 to Agreement No. 22PLN95 Between Florida Department of Environmental Protection and City of North Port for the City Vulnerability Assessment and Adaptation Plan to Extend Timeline, 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. [23-1561](#) Approve the Application to the Florida Legislature for the Blue Ridge / Salford Neighborhood Water and Sewer Expansion Phase II Project for Consideration in the Fiscal Year 2024 State of Florida Appropriations in the Amount of \$2.25 million, 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.

- F. [23-1562](#) Approve the Application to the Florida Department of Emergency Management (FDEM) Hazard Mitigation Assistance Grant in the Estimated Amount of \$3.75 million for the Lift Station Fortification Project - Bypass Pumps 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.

- G. [23-1580](#) Approve RFB No. 2024-01 Gasoline & Diesel Fuels: Supply and Delivery Services for the City of North Port, to Palmdale Oil Company, LLC in the Estimated Annual Amount of \$1,455,000.00 and Authorize the City Manager to Approve Renewals in Accordance with the Terms and Conditions in the Solicitation.

This item was approved on the consent agenda.

- H. [23-1651](#) Approve Services Agreement-PropLogix LLC, d/b/a Orange Data Systems for Lien Search Services

This item was approved on the consent agenda.

- I. [23-1664](#) Accept the Cash Receipts Summary Report for October 2023.

This item was approved on the consent agenda.

- J. [23-1682](#) Approve the Twenty (20) Year Projected Water Demand Report for Submittal to the Peace River Manasota Regional Water Supply Authority (PRMRWSA).

This item was approved on the consent agenda.

- K. [CC](#) [CTA-23-233](#) Approve the Consent by the City of North Port, Florida to the Acquisition of Real Property by the West Villages Improvement District for Tract 507, Preserve at West Villages Phase 3

This item was approved on the consent agenda.

5. PUBLIC HEARINGS:

ORDINANCE - Second Reading

- A. [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. (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 Ordinance by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

Ms. Slayton spoke to ex-parte communication requirements relating to quasi-judicial proceedings and public comments.

Commissioner McDowell disclosed emails sent to City Attorney, text message from citizen, and public comments provided outside of testimony.

Vice Chair Stokes disclosed public comments provided outside of testimony.

Commissioner Langdon disclosed public comments provided outside of testimony.

Mayor White disclosed public comments provided outside of testimony.

Commissioner Emrich disclosed public comments provided outside of testimony.

Ms. Faust stated there were no aggrieved parties.

Ms. Barnes, being duly sworn, provided an overview and spoke to updates.

There was no rebuttal by Staff.

Public comment:

James Strawser: expressed opposition to the proposed Ordinance.

Marek Chilinski: expressed opposition to the proposed Ordinance.

Elizabeth Dykas: expressed opposition to the proposed Ordinance.

Commission questions and discussion took place regarding department title discrepancy, restrictive or burdensome regulation determination, adoption date discrepancy, Activity Center 7 versus 7A, density changes, utility infrastructure and connection requirements, and surrounding septic systems impact on Warm Mineral Springs (WMS).

Ms. Barnes provided a closing argument regarding request for approval.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to approve Ordinance No. 2023-18 and find that, based on competent substantial evidence, the amendment is consistent with the standards and intent of the City of North Port Comprehensive Plan and Florida Statutes.

Commission discussion continued regarding discrepancy correction inclusion.

Ms. Slayton spoke to recommendations regarding discrepancy correction inclusion.

A motion to amend was made by Commissioner McDowell, to correct the scrivener's error in Exhibit B, Policy 2.7.15 "Neighborhood Development Services" to read "North Port Development Services". The motion to amend failed due to lack of a second.

Commission discussion continued regarding recommendations.

The main motion carried on the following vote with Commissioner McDowell dissenting due to inaccurate department title inclusion:

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

No: 1 - Commissioner McDowell

B. [ORD. NO. 2023-33](#)

An Ordinance of the City of North Port, Florida, Prohibiting Smoking at Public Parks; Amending the Code of the City of North Port, Florida to Create a New Section 46-64; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; 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 Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding enforcement concerns, costs, signage, material requirements, designated parking area requirement, City Center Green Complex area description, no smoking area designation, secondhand smoking statistics, municipality comparisons, littering concerns, and citizen rights.

A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to amend Ordinance No. 2023-33 to include green spaces and buildings, and not include improved areas for the City Center Green Complex. The motion carried on the following vote with Mayor White dissenting due to dislike of smoking in public locations:

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

No: 1 - Mayor White

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 Langdon, to approve Ordinance No. 2023-33 as amended to include green spaces and buildings, and not include improved areas for the City Center Green Complex.

Commission discussion continued regarding motion verbiage.

The motion carried on the following vote with Commissioner Emrich and Commissioner McDowell dissenting due to not agreeing with the Ordinance:

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

No: 2 - Commissioner Emrich and Commissioner McDowell

ORDINANCE - First Reading

**C. ORD. NO.
2023-34**

An Ordinance of the City of North Port, Florida, Repealing and Replacing Section 74-84 and 74-93 of the Code of the City of North Port, Florida, Relating to Parking Violations; Clarifying the Penalties and Procedures for Contesting a Parking Violation Ticket; Prohibiting Parking for Storage Purposes in the Public Right-of-Way in Identified Zoning Districts and Along Tamiami Trail; and Updating Statutory References Related to Parking Spaces for Disabled Persons; By Amending the Code of the City of North Port, Florida, Section 74-84 and Sections 74-92 Through 74-94; and Repealing Certain Fees Related to Parking Violations by Amending Appendix A, Section F, Police Fees; 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 McDowell, 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 right-of-way parking regulations, public versus private roadway jurisdiction and enforcement, and potential holiday exemptions.

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 Langdon, to continue Ordinance No. 2023-34 to second reading on January 23, 2024. The motion carried on the following vote:

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

RESOLUTION:

- D. [RES. NO. 2023-R-82](#) A Resolution of the City Commission of North Port, Florida, Approving and Authorizing the Mayor to Execute the State of Florida Department of Transportation Memorandum of Agreement for Reimbursement of Certain Costs Associated with City's Maintenance, Mowing, and Litter Removal along U.S. Highway 41 from Ortiz Boulevard to the County Line; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing for 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.

Commission questions and discussion took place regarding Charlotte County line inclusion.

There was no public comment.

Mayor White 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-82 as amended to read "Charlotte County Line" where "County Line" is referenced throughout the document. The motion carried on the following vote:

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

- E. [RES. NO. 2023-R-74](#) A Resolution of the City Commission of the City of North Port, Florida, Repealing and Replacing Resolution No. 2022-R-66, Temporarily Suspending the Historic and Cultural Advisory Board Until January 1, 2025; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; Providing an Effective Date; and Providing a Sunset Provision.

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

Ms. Faust read the Resolution by title only and 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 Commissioner Emrich, seconded by Commissioner Langdon, to adopt Resolution No. 2023-R-74 as presented. The motion carried on the following vote:

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

- F.** [RES. NO. 2023-R-86](#) A Resolution of the City Commission of the City of North Port, Florida, Accepting Permanent Utility Easements Located on Portions of Property Lying in Section 32, Township 39 South, Range 20 East, Sarasota County Florida, Property Appraiser Parcel Identification Number 0783020030; Providing for Incorporation of Recitals; Providing for Filing of Documents; 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 Commissioner Langdon, seconded by Vice Mayor Stokes, to adopt Resolution No. 2023-R-86 as presented. The motion carried on the following vote:

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

Recess was taken from 11:31 a.m. to 11:41 a.m.

- G.** [RES. NO. 2023-R-87](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2023-2024 for Reroof of the Police Station Headquarters and Additional Police Vehicle Cost in the Amount of \$1,588,000; Providing for Findings; Providing for Posting; 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.

Commission questions and discussion took place regarding roof repair funding source and future process improvement potential.

There was no public comment.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to adopt Resolution No. 2023-R-87 as presented. 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.** [23-1620](#) Discussion and Possible Action Regarding the Art Advisory Board Recommendation for a Piece of Art to be Placed on the First Floor of City Hall at a Cost Not to Exceed \$800.

Mayor White announced the item.

Mr. Fletcher introduced the item.

Ms. Sturgess provided a presentation regarding overview, mural, artist, and costs.

Commission questions and discussion took place regarding location, payment process, timeline, informational placard, and funding.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve the Art Advisory Board recommendation to place a mural, procured by Clare Harvey, on the first floor of City Hall to be funded from the General Fund Public Art account, not to exceed \$1,000 and to include an informational placard. The motion carried on the following vote:

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

- B.** [23-1654](#) Discussion and Possible Action Regarding Approval of the November 6, 2023 Commission Workshop 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 Langdon, seconded by Commissioner McDowell, to approve the November 6, 2023 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

C. [23-1689](#) Discussion and Possible Action Regarding Approval of the November 14, 2023 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 November 14, 2023 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

D. [23-1695](#) Discussion and Possible Action Regarding an Amendment to the City Clerk's Employment Agreement Relating to Annual Evaluation Date.

Mayor White announced the item.

Ms. Faust introduced the item.

Commission questions and discussion took place regarding evaluation timeline.

Ms. Faust spoke to waiving a potential salary increase.

Commission questions and discussion continued regarding solutions relating to evaluation timeline and potential salary increase.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct the City Attorney to work with the City Clerk to amend the City Clerk's Employment Agreement to reflect an annual evaluation date of no later than November 1 and to bring back creative suggestions for potential salary increase in the interim. The motion carried on the following vote:

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

7. PUBLIC COMMENT:

James Strawser: spoke to Warm Mineral Springs (WMS) management and costs.
Chuck English: spoke to environmental preservation and staff role.

8. COMMISSION COMMUNICATIONS:

- A. [23-1641](#) Commissioner Langdon's Communications
Commissioner Langdon reported on important topics and events attended.

- B. [23-1642](#) Mayor White's Communications
Mayor White reported on important topics and events attended.

- C. [23-1643](#) Commissioner Emrich's Communications
Commissioner Emrich reported on important topics and events attended.

- D. [23-1644](#) Commissioner McDowell's Communications
Commissioner McDowell reported on important topics and events attended.

- E. [23-1645](#) Vice Mayor Stokes's Communications
Vice Chair Stokes reported on important topics and events attended.

9. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Fletcher spoke to upcoming events.

Ms. Slayton did not provide a report.

Ms. Faust did not provide a report.

10. ADJOURNMENT:

Mayor White adjourned the meeting at 12:29 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk