



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes City Commission Regular Meeting

### **CITY COMMISSIONERS**

*Jill Luke, Mayor*

*Pete Emrich, Vice Mayor*

*Barbara Langdon, Commissioner*

*Debbie McDowell, Commissioner*

*Alice White, Commissioner*

### **APPOINTED OFFICIALS**

*Jason Yarborough, Interim City Manager*

*Amber L. Slayton, City Attorney*

*Heather Taylor, City Clerk*

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Tuesday, May 25, 2021

6:00 PM

City Commission Chambers

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### **CALL TO ORDER**

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

### **ROLL CALL**

**Present:** 5 - Mayor Jill Luke, Vice Mayor Pete Emrich, Commissioner Barbara Langdon, Commissioner Debbie McDowell and Commissioner Alice White

### **Also Present**

Interim City Manager Jason Yarborough, City Attorney Amber Slayton, City Clerk Heather Taylor, Recording Secretary Amanda Baker, Fire Chief Scott Titus, Police Chief Todd Garrison, Deputy Police Chief Chris Morales, Planner III Rhea Lopes, Stormwater Manager Elizabeth Wong, Acting Public Works Director Chuck Speake, Assistant Public Works Director Monice Bramble

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Deputy Police Chief Morales.

### **1. APPROVAL OF AGENDA**

*A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve the agenda moving Item No. PLF-20-263 after Ordinance No. 2021-28. The motion carried on the following vote:*

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

### **2. PUBLIC COMMENT:**

There was no public comment.

**3. ANNOUNCEMENTS:**

- A. [21-0800](#) Current and Upcoming Expiration Dates for Advisory Boards and Committees.

Mayor Luke announced the item.

Ms. Taylor read the announcements into the record.

**4. CONSENT AGENDA:**

Mayor Luke announced the item.

Mr. Yarborough noted Item No. 21-0352 was pulled for discussion.

***A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve the consent agenda pulling Item No. 21-0352 for discussion. The motion carried on the following vote:***

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

- A. [21-0352](#) Approve Utilization of the Sheriff's Association's Contract FSA20-EQU18.0, to Purchase a MowerMax Tractor with a Boom Mower and Broom Attachment From Atmax Equipment Company for the Infrastructure and Facilities Operations and Maintenance Division of the Department of Public Works Department for an Estimated Total of \$201,775.

Mr. Yarborough introduced the item.

Commissioner McDowell spoke to the item, noting the equipment cannot be purchased until Ordinance No. 2021-28 is approved.

***A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve Item No. 21-0352 contingent upon approval of Ordinance No. 2021-28. The motion carried on the following vote:***

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

- B. [21-0362](#) Approve 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), (1) of the Code of the City of North Port, Florida.

***This item was approved on consent.***

- C. [21-0650](#) Approve Interlocal Agreement by and Between Sarasota County and the City of North Port Regarding the Installation of Automatic License Plate Reader Systems for the City of North Port Police Department.

***This item was approved on consent.***

- D. [21-0653](#) Approve Utilization of Sourcewell Contract No. 012418-TPM, Thompson Pump and Manufacturing Company, Inc. (for Public Utility Equipment with Related Accessories, Supplies, and Services) to Purchase Four Stationary Bypass Pumps for Lift Station Dependability at Identified Lift Stations Throughout the City, in the Amount of \$228,099.00.
- This item was approved on consent.*
- E. [21-0739](#) Approve Utilization of OMNIA Partners Contract #R200802 for Cyber Security Solutions and Associated Products & Services with Iron Bow Technologies, LLC for Security Upgrades at the Myakkahatchee Creek Water Treatment Plant, for a Total of \$96,269.52
- This item was approved on consent.*
- F. [21-0776](#) Ratification of Emergency Order No. 2020-25 Terminating Emergency Order No. 2020-21 Relating to Temporary Outdoor Dining Regulations and Suspension of Certain Fees for Restaurants
- This item was approved on consent.*
- G. [21-0802](#) Approval of Minutes for the April 27, 2021 City Commission Special Meeting.
- This item was approved on consent.*
- H. [21-0815](#) Approval of Acceptance of Award Terms for the Coronavirus Local Fiscal Recovery Fund from the U.S. Department of Treasury in the amount estimated to be \$8.4 million, and authorizing the City Manager or the Mayor, as applicable under the Charter, to execute all funding documents
- This item was approved on consent.*

## **5. PUBLIC HEARINGS:**

### **PETITION:**

- A. [CC  
PLF-20-263](#) Consideration of Petition No. PLF-20-263, Wysteria Wellen Park, Village F-4 Final Plat. (QUASI-JUDICIAL)
- Mayor Luke announced the item and stated this is a quasi-judicial hearing.
- Ms. Taylor read the Petition title only and swore in those wishing to provide testimony.
- There were no ex-parte communications.
- Bobbie Claybrook, AM Engineer, being duly sworn, provided a presentation including number of lots, site access, emergency access, existing wetlands within tracts, stormwater retention area, water service, and waste water collection.
- Ms. Lopes, being duly sworn, provided a presentation including number of lots, total site size, assurity bond obtained, West Villages' review and approval, consent to street trees

and landscape easements, City Surveyor review and approval, and staff recommendation for approval.

There were no aggrieved parties.

There was no rebuttal by the applicant or staff.

There was no public comment.

Discussion took place regarding conservation track percentage.

There were no closing arguments from the applicant or staff.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Vice Mayor, to approve Petition No. PLF-20-263 as presented and find that, based on competent and substantial evidence, the plat complies with the Unified Land Development Code and Florida Statute Chapter 177. The motion carried on the following vote:***

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

#### **ORDINANCE - Second Reading:**

**B. [ORD. NO. 2021-07](#)**

An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 74-84. – Violations, to Delete the Referenced Fees for Parking Violations; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Luke announced the item.

Ms. Taylor read the Ordinance by title only.

Mr. Yarborough introduced the item.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to approve Ordinance No. 2021-07 as presented. The motion carried on the following vote:***

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

**C. [ORD. NO. 2021-28](#)**

An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2020-21; Transferring \$201,775 from the R&R Road and Drainage District Fund Balance for the Purchase of a Mowermax Tractor Included in Capital Improvement Project R21VEH; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Luke announced the item.

Ms. Taylor read the Ordinance by title only.

Mr. Yarborough introduced the item.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve Ordinance No. 2021-28 as presented at second reading. The motion carried on the following vote:***

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

[CC](#)  
[PLF-20-263](#)

Consideration of Petition No. PLF-20-263, Wysteria Wellen Park, Village F-4 Final Plat. (QUASI-JUDICIAL)

***A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to hear Petition No. PLF-20-263 when the applicant arrives. The motion carried on the following vote:***

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

## **6. GENERAL BUSINESS:**

**A.** [21-0777](#)

Discussion and Possible Action Regarding Sending a Letter to the Board of DeSoto County Commissioners Regarding the Impacts of Proposed Expansion of Mosaic Mining Operations on North Port's Water Quality and Supply

Mr. Yarborough introduced the item.

Commissioner White spoke to the item.

Ms. Wong spoke to upcoming Mosaic workshops with DeSoto County to address rezoning for mining expansions, water quality and quantity and the impact of watersheds, benefits of attending the workshops, and obtaining partnerships to provide input.

Discussion took place regarding the letter submitted in 2018 to the DeSoto County Commission, submitting another letter for the upcoming workshop, benefits from sending the letter, and Horse Creek water supply.

Mr. Nosbisch spoke to the City-conducted water testing and sampling.

Discussion continued regarding maintaining positive relations between Mosaic and municipalities, partial funding for water testing, and plans for cleaning site stacks in Polk County.

Consensus was requested to approach Mosaic to partially fund water testing in an act of good faith.

Concern was raised as to whether Mosaic would assist in funding for water testing without quid pro quo.

Consensus was requested for Mosaic to disclose plans to apply funding for the safe closure of gypsum stack sites in Polk County.

***There was consensus to inquire Mosaic to disclose plans to apply funding for the safe closure of gypsum stack sites in Polk County.***

Ms. Wong presented graphs and spreadsheets detailing baseline water testing and responded to questions regarding 2023 plans.

Discussion continued regarding water testing locations.

***A motion was made by Commissioner McDowell, seconded by Commissioner White, to direct the City Manager to send a letter to everyone who was included in the 2018 letter, including Mosaic, regarding interest in the DeSoto County plants, willing to work with them, be a collaborative team, to be sent by June 7, 2021.***

Discussion took place regarding removing the statement "be a collaborative team" from the motion and waiting until after June 29, 2021 to send the letter, timeline of when the letter was sent in 2018, justification for sending the letter on June 7, 2021, details of the June 29, 2021 workshop, and drafting the letter with City Manager to Commission as a memorandum for approval.

Mayor Luke passed the gavel to Vice Mayor Emrich.

***A motion to amend was made by Mayor Luke, seconded by Commissioner McDowell, that will allow staff to work toward a draft to be presented to Commission on the June 8, 2021 meeting before being sent to the said entities.***

***Mayor Luke withdrew her motion. Commissioner McDowell withdrew her second.***

***Commissioner McDowell withdrew her main motion. Commissioner White withdrew her second.***

Vice Mayor Emrich passed the gavel to Mayor Luke.

***A motion was made by Commissioner McDowell, seconded by Commissioner White, to direct the City Manager to work with staff to create a draft letter to be sent to all entities included the 2018 letter showing interest to work together as a team and the project does affect the City of North Port, to be on the June 8, 2021 meeting. The motion carried on the following vote:***

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

**B. [21-0778](#)**

Discussion and Possible Action Regarding the Length of Time that Customer Deposits for City Services are Held

Mr. Yarborough introduced the item.

Ms. Bramble spoke to Solid Waste deposit requirements, commercial businesses, impact of changing Ordinance, interest on deposits, and applicability of dumpsters.

Ms. Desrosiers responded to questions regarding deposits for reclaimed water and reclaimed water vs. bulk water.

***No action was taken on this item.***

- C. [21-0749](#) Discussion and Possible Action Regarding the Appointment of Melodi Wilson as a Regular Member, with American Legion Post 254 Preference on the Veterans Park Advisory Committee to Serve a Term from May 25, 2021 to May 25, 2023.

Mayor Luke announced the item.

Ms. Taylor introduced the item.

Ms. Pfundheller answered questions regarding liaisons assigned to the Board, solicitation for the open Board positions, and e-mailing Post Commanders informing them of the positions.

***There was consensus to direct the City Manager to contact Veteran's Post Commanders via a traceable means.***

Discussion took place regarding methods of solicitation, participation of Veterans who are not in Posts, advertising campaigns, placing Melodi in alternate position with the ability to move up, and creating an "end date" to form a sense of urgency to the community.

***A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to appoint Melodi Wilson as an alternate to the Veteran's Park Advisory Committee. The motion carried on the following vote:***

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

- D. [21-0711](#) Discussion and Possible Action Regarding Monthly Report from City Attorney's Office

Mayor Luke announced the item.

Ms. Slayton introduced the item.

Discussion took place regarding prior Commission discussion and manner of direction.

***A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to direct the City Attorney to prepare and post monthly reports on the City's website with the content of the report to be determined by the City Attorney.***

Discussion took place regarding directives within the monthly reports and the differences of monthly reports by department.

***The motion carried on the following vote:***

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

## **7. PUBLIC COMMENT:**

There was no public comment.

## **8. COMMISSION COMMUNICATIONS:**

Commissioner Langdon reported on Metropolitan Planning Organization (MPO) Meeting, Night at the Races Fundraiser, neighborhood expansion in Charlotte County, and conversations with staff about implementing new fees within the City.

Vice Mayor Emrich reported on the MPO meeting and the Community Health Action Team (CHAT) meeting.

Commissioner White reported on Newcomers Day, Parks & Recreation Freedom Festival Patriot sing-a-long, concert at North Port High School, praise to Public Works on tree-trimming along Sumter Boulevard, tree-clearing permits on green paper, SCAT service location updates, and Savor Sarasota.

Commissioner McDowell reported on Commercial Real Estate Summit, Citizen Action Advisory Board, and Manasota League of Cities, and Mayor Luke receiving the Home Rule Hero Award.

Mayor Luke reported on Education Outreach Garden (EOG), CHAT meeting, completion of Florida League of Cities Leadership Academy I, Tourism Development Council (TDC), Rank my Vote, Council of Governments (COG), Mayors' Roundtable on National League of Cities, Kindness Community link with Art Center, and Commissioner McDowell receiving the Home Rule Hero Award.

Mayor Luke requested rescheduling November 4, 2021 meetings due to schedule conflicts, and sending a letter to Federal Representatives regarding FEMA flood mapping.

Ms. Bellia spoke to the purpose of the letter, FEMA using 2007 maps for rezoning, appeals process, letter supporting amendment requests, and Light Our Data usage.

***There was consensus for Mayor Luke to work with the City Manager and staff to draft a letter to FEMA, copying the Federal Representatives, supporting appeals within the City to be brought back at a future date.***

***There was consensus for Mayor Luke to work with Chair Maio to draft a joint letter with the County relative to septic tank permitting to the Department of Health, to be brought back at a future agenda.***

Discussion continued regarding IT software issues and future needs, and the status of the letter regarding the Springs.

## **9. ADMINISTRATIVE AND LEGAL REPORTS:**

- A. [21-0781](#) City Manager Report  
The City Manager did not have a report.
- B. [21-0764](#) City Attorney Report  
The City Attorney did not have a report.
- C. [21-0798](#) City Clerk Report  
The City Clerk did not have a report.



**10. ADJOURNMENT:**

Mayor Luke adjourned the meeting at 8:18 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Gisele "Jill" E. Luke, Mayor

Attest: \_\_\_\_\_  
Heather Taylor, City Clerk

Minutes approved at the Commission Regular Meeting this \_\_\_\_ day of \_\_\_\_\_,  
2021.