



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, November 28, 2023

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor White called the meeting to order at 6:00 p.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, Recording Secretary Matthew Powell, Deputy Police Chief Chris Morales, Fire Chief Scott Titus, Public Works Director Chuck Speake, Planner III Carl Benge, Grants Division Manager Valerie Malingowski, Economic Development Manager Vinnie Mascarenhas, Utilities Director Nancy Gallinaro, and Development Services Assistant Director Lori Barnes

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Sarasota County Commissioner Ron Cutsinger.

1. APPROVAL OF AGENDA

Mayor White requested a motion.

Commission questions and discussion took place regarding reordering of the agenda.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the agenda as amended to hear Item No. 23-1565 prior to public comment, Ord. No. 2023-29 after Res. No. 2023-R-85, Res. No. 2023-R-78 after Ord. No. 2023-30, and Res. No. 2023-R-45 prior to Ord. No. 2023-33. The motion carried on the following vote:

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

4. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [23-1565](#) Sarasota County Commissioner Ron Cutsinger Update to the North Port City Commission.

Mayor White announced the item.

Ron Cutsinger, Sarasota County Commission, spoke to updates, goals and priorities, Housing and Urban Development (HUD) grant funding, affordable housing, roadway development, pedestrian bridges, Manasota Key Road reopening, and mosquito management.

There was no public comment.

2. PUBLIC COMMENT:

Ms. Faust read the following eComment into the record:

Jasmine Bowman: expressed opposition to Ordinance No. 2023-26.

In person public comment:

Carolyn Reese: expressed opposition to Ordinance No. 2023-26.

Valdy Olender: expressed concern for City policy and actions.

Kate Shakirov: expressed concern for security and public record request process.

3. ANNOUNCEMENTS

- A. [23-0449](#) 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.

5. CONSENT AGENDA:

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

Mr. Fletcher noted items pulled from the consent agenda for discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the consent agenda with the exception of Item Nos. 23-1478, 23-1527, and 23-1655 being pulled for discussion. The motion carried on the following vote:

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

- A. [23-1458](#) Ratification of City Manager’s Use of Emergency Authorization to Enter into a Contract with Thompson Pump and Manufacturing Company, Inc. to Perform Emergency Restoration to the City’s Lift Station Under Purchase Order 050225 in an Amount Not to Exceed \$17,194.82.

This item was approved on the consent agenda.

B. [23-1478](#)

Approve the Axon Master Services and Purchasing Agreement for Agency, Axon Quote Q-478154-45232.739GM, Axon Quote Q-514095-45232.745GM, Axon Quote Q-485111-45232.665GM, Axon Quote Q-485122-45232.665GM, Axon Quote Q-485136-45232.666GM, Axon Quote Q-485141-45232.666GM, Axon Quote Q-485196-45232.667GM, Axon Quote Q-485210-45232-667GM, Axon Quote Q-485223-45232.667GM, Axon Quote Q-485234-45232.667GM, and Axon Quote Q-485259-45232.668GM, for Police Equipment at a Total Cost of \$9,142,428.26 Over a Ten-Year Term.

Mayor White announced the item.

Commissioner McDowell spoke to the item relating to amount of digital recording devices.

There were no Commission questions or discussion.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve Item No. 23-1478 as presented. The motion carried on the following vote:

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

C. [23-1527](#)

Approve the Application to the Florida Legislature for the Price Boulevard Mitigation and Mobility Project for Consideration in the Fiscal Year 2024 State of Florida Appropriations in the amount of \$2.8 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.

Mayor White announced the item.

Commissioner McDowell spoke to the item relating to bond amount discrepancy and inclusion of Charlotte County.

There was consensus to add Charlotte County as other users to both the Senate and the House appropriation applications.

Commission questions and discussion took place regarding fund usage directly serving citizens.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve Item No. 23-1527 as amended to include the consensus given and fixing the \$52 million to state \$80 million. The motion carried on the following vote:

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

- D. [23-1529](#) Approve the Application to the Florida Division of Emergency Management Hazard Mitigation Assistance Grant for City Hall Hardening in the Estimated Amount of \$3.5 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.*
- E. [23-1547](#) Approve the Appointment of Verna McGinn as a Regular Member of the Art Advisory Board, to Serve a Term From November 28, 2023, to November 28, 2026.
- This item was approved on the consent agenda.*
- F. [23-1560](#) Approve Work Assignment No. 2024-04 with Black and Veatch Corporation to Complete Asset Management Phase I for the Amount of \$478,437.00.
- This item was approved on the consent agenda.*
- G. [23-1577](#) Approve Contract No. 2023-40.001 for Inflow and Infiltration Rehabilitation with Engineering Coating Solutions, LLC Based on Unit Pricing; Approve Contract No. 2023-40.002 for Inflow and Infiltration Rehabilitation with Atlantic Pipe Services, LLC Based on Unit Pricing; Approve Contract No. 2023-40.003 for Inflow and Infiltration Rehabilitation with Miller Pipeline, LLC Based on Unit Pricing; Approve Contract No. 2023-40.004 for Inflow and Infiltration Rehabilitation with National Water Main Cleaning Company Based on Unit Pricing; and for All of the Contracts Listed Above, Authorizing the City Manager or Designee to Approve Work Assignments up to \$100,000 as Needed, Consistent with the Approved Budget.
- This item was approved on the consent agenda.*
- H. [23-1579](#) Approve the October 24, 2023 Commission Regular Meeting Minutes
- This item was approved on the consent agenda.*
- I. [23-1583](#) Approve the Statement of Work Between the City of North Port and CivicPlus, LLC for Annual Recurring Supplement Services Relative to the Code of the City of North Port, Florida, and Unified Land Development Code in the Amount of \$13,690.
- This item was approved on the consent agenda.*
- J. [23-1621](#) Approve the Memorandum of Understanding By and Between the Sarasota County Sheriff's Office and the City of North Port, Florida and the North Port Police Department for Employee Participation in the Sheriff's Underwater Recovery Force Unit.

This item was approved on the consent agenda.

- K. [23-1626](#) Approve Modification Number Five to the Sub-Grant Agreement Between the State of Florida Division of Emergency Management and the City of North Port Relating to Contract Number H0131, Hazard Mitigation Grant Program and City Hall Generator Project, Extending the Period of Agreement to February 28, 2024.

This item was approved on the consent agenda.

- L. [23-1653](#) Approve the Appointment of Yeonho Kang as a Youth Member of the Art Advisory Board, to Serve a Term From November 28, 2023, to November 28, 2024.

This item was approved on the consent agenda.

- M. [23-1655](#) Approve Work Assignment 2023-03PZ with Pritchett Steinbeck Group Inc. for the Activity Center 3 (Gateway) Master Plan, Amount Not to Exceed \$200,000.

Mayor White announced the item.

Commissioner McDowell spoke to the item.

Commission questions and discussion took place regarding project scope versus map area, Activity Center 3 area and scope, mixed-use (MX-2) area inclusion, stakeholders, community input, and economic viability.

There was no public comment.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to approve Item No. 23-1655 as presented.

Commission questions and discussion continued regarding exclusion of community input and future process improvement.

The motion carried on the following vote:

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

- N. [23-1662](#) Approve the November 2, 2023 Commission Regular Meeting Minutes

This item was approved on the consent agenda.

6. PUBLIC HEARINGS:

Petition:

- A. [CC](#)
[PLF-23-097](#) Consideration of Petition No. PLF-23-097, Eagle Bend Final Plat (QUASI-JUDICIAL).

Mayor White announced the item, spoke to rules of decorum, 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 Mayor Stokes, and Commissioner Emrich disclosed no ex-parte communications.

Commissioner Langdon disclosed a site visit.

Mayor White disclosed questions during agenda briefing.

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, location, 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.

There were no Commission questions or discussion.

There was no closing argument by Staff.

Mayor White closed the public hearing and requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve The Eagle Bend Final Plat, Petition No. PLF-23-097, 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

ORDINANCE - Second Reading:

- B.** [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 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.

Commissioner Langdon disclosed no 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 (PZAB) Meeting, public comments provided outside of testimony, email sent to staff regarding State responses, conversation with City Clerk regarding staff responses, request of City Clerk, email received regarding PZAB recommendations, and documents received today.

Vice Mayor Stokes disclosed emails from citizens and meeting with aggrieved party.

Mayor White disclosed emails and phone calls with citizens.

Commissioner Emrich disclosed emails received and documents received today.

Ms. Slayton spoke to ex-parte communication disclosure process and requirements.

Vice Mayor Stokes clarified the disclosure of meeting with Carolyn Price, aggrieved party, on November 27, 2023, regarding general discussions of the project.

Ms. Faust stated aggrieved parties Carolyn Price, Craig Beal, and Pamela Tokarz on behalf of Martin Moore.

Jeffery Boone, Boone Law Firm, and Kevin Nguyen, RWA Engineering, both being duly sworn, spoke to materials received today, overview, location, project team, property, development agreement process, and requested approval.

James White, Weiss Serota Helfman Cole and Bierman, and Ms. Barnes, 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, and state agencies compliance.

Commission questions and discussion took place regarding application status of aggrieved parties.

Ms. Faust clarified the status of Mr. Beal's request for aggrieved party status and notification to parties.

Carolyn Price, aggrieved party, being duly sworn, spoke to rezoning requirements, Comprehensive Plan role, and Private Property Rights Protection Act.

Commission questions and discussion continued regarding agenda discrepancy relating to notice of aggrieved parties.

Pamela Tokarz on behalf of Martin Moore, aggrieved party, being duly sworn, spoke to property intent, Comprehensive Plan requirements, surrounding area, development goals, and environmental impacts.

Craig Beal, aggrieved party, being duly sworn, provided a presentation including wetlands map and percentage, Southwest Florida Water Management District (SWFWMD) review, environmental impacts, and neighborhood meeting.

Mr. Boone provided a rebuttal regarding wetland mitigation, SWFWMD permit requirements, documents received today, Private Property Rights Protection Act

applicability, and property intent.

Mr. White did not provide a rebuttal.

Ms. Price provided a rebuttal regarding environmental impact, wetland mitigation, surrounding development, and zoning intent.

Ms. Tokarz provided a rebuttal regarding Private Property Rights Protection Act, SWFWMD review, and property intent.

Mr. Beal provided a rebuttal regarding wetland mitigation and SWFWMD permit process.

Ms. Slayton spoke to ex-parte communication disclosure process and requirements.

Recess was taken from 7:58 p.m. to 8:11 p.m.

Ms. Slayton spoke to time allotted to all parties for documentation review.

All parties confirmed no additional time was needed for documentation review.

Mayor White called for disclosure of ex-parte communications.

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

Public Comment:

Jane Woolston: being duly sworn, expressed opposition to the proposed Ordinance.

Susan Balmer: being duly sworn, expressed opposition to the proposed Ordinance.

Richard Cain: being duly sworn, expressed opposition to the proposed Ordinance.

Jennifer Nicol: being duly sworn, expressed opposition to the proposed Ordinance.

Kevin Riley: being duly sworn, expressed opposition to the proposed Ordinance.

Linda Riley: being duly sworn, expressed opposition to the proposed Ordinance.

Commission questions and discussion took place regarding environmental assessment and wetland mitigation timeline, development area versus wetlands, Development Master Plan (DMP) process and timeline, industrial maximum development intensity, proposed development, future land use intent, annexation timeline, Comprehensive Plan future land use policy requirements, high density designation versus requested low or medium density, zoning designation typographical error, future land use designation and approval process, dwelling units per acre, grant funding employment opportunity requirements, aggrieved party letter sent to State, wetlands size and protection process, Myakka mitigation bank definition, Florida Department of Transportation (FDOT) impact study, State review process of Comprehensive Plan amendment, and wetlands wildlife habitat preservation.

Ms. Price provided a closing argument regarding meeting procedure.

Ms. Tokarz provided a closing argument regarding wetlands soil, proposed development, and future land use intent.

Mr. Beal provided a closing argument regarding proposed development and future land use intent.

Mr. White and Ms. Barnes provided a closing argument regarding documents received, Commission role, Comprehensive Plan, zoning designation, and development intensity.

Mr. Boone provided a closing argument regarding SWFWMD permit, Comprehensive Plan policy, employment opportunities, annexation intent, density designation, wetlands mitigation, Myakka mitigation bank, and requested approval.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell to deny approval of CPAL-22-247, Ordinance No. 2023-25 based on the lack of competent substantial evidence relating to the impact on traffic and wetlands is not consistent with the Future Land Use Goal 1, Objective 3, Policy 3.3, Policy 4.12, and Objective 13.3.2.

Ms. Slayton spoke to the motion, legal standards, and recommendations.

The motion was restated by Commissioner McDowell, seconded by Commissioner Emrich, to deny Ordinance No. 2023-25, and find that based on competent substantial evidence, the amendment is not consistent with the standards and intent of the City of North Port Comprehensive Plan and fails to meet Future Land Use Goal 1, Objective 3 Policy 3.3, Policy 4.12, and Objective 13.3.2.

Commission discussion continued regarding neighborhood impact, traffic impact statements, high density residential designation, future land use intent and designation, Comprehensive Plan policy requirements, PZAB recommendation, wetlands habitat, agricultural zoning intent, DMP process and timeline, employment opportunities, community impact, proposed development, equestrian activity potential, and non-residential development relating to increasing tax base.

The motion failed on the following vote with Mayor White, Vice Mayor Stokes, and Commissioner Langdon dissenting:

Yes: 2 - Commissioner Emrich and Commissioner McDowell

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

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to approve Ordinance No. 2023-25 and find that, based on competent and substantial evidence, the amendment is consistent with the standards and intent of the City of North Port Comprehensive Plan and Florida Statutes. The motion carried on the following vote with Commissioner McDowell dissenting due to violating City Comprehensive Plan and Commissioner Emrich dissenting:

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

No: 2 - Commissioner Emrich and Commissioner McDowell

Recess was taken from 10:24 p.m. to 10:38 p.m.

C. [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 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.

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

Ms. Faust stated aggrieved parties Carolyn Price, Craig Beal, and Pamela Tokarz on behalf of Martin Moore.

Jeffery Boone, Boone Law Firm, being duly sworn, spoke to rezoning request, no changes from first reading, and requested approval.

James White, Weiss Serota Helfman Cole and Bierman, and Ms. Barnes, both being duly sworn, spoke to no changes from first reading and requested approval.

Craig Beal, aggrieved party, being duly sworn, spoke to environmental impacts and development intent.

Pamela Tokarz on behalf of Martin Moore, aggrieved party, being duly sworn, spoke to development intent, Comprehensive Plan, and future land use designation.

Carolyn Price, aggrieved party, was not present.

Mr. Boone provided a rebuttal regarding Development Master Plan (DMP) process, Southwest Florida Water Management District (SWFWMD) permit process, and floor area ratio (FAR).

Ms. Barnes did not provide a rebuttal.

Mr. Beal provided a rebuttal regarding wetlands mitigation and SWFWMD permit process.

Ms. Tokarz provided a rebuttal regarding development area and intent.

Public Comment:

Susan Balmer: being duly sworn, expressed opposition to the proposed Ordinance.

Commission questions and discussion took place regarding DMP process relating to Commission approval process, zoning regulations relating to indoor versus outdoor requirements, Live Local Act applicability, wetlands impacted, and unknown traffic impact.

Mr. Beal provided a closing argument regarding DMP process relating to Commission approval process.

Ms. Tokarz provided a closing argument regarding previous development applications and Comprehensive Plan requirements.

Ms. Barnes provided a closing argument regarding zoning designation, future land use, industrial land uses, consistency with Comprehensive Plan and Unified Land Development Code (ULDC), and requested approval.

Mr. Boone provided a closing argument regarding SWFWMD permit, Comprehensive Plan policy, employment opportunities, annexation intent, density designation, wetlands mitigation, Myakka mitigation bank, consistency with Comprehensive Plan and ULDC, DMP process, development intent, traffic impact, Live Local Act, and requested approval.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to approve Ordinance No. 2023-26 and find that, based on the competent substantial evidence, the rezoning will not adversely affect the public 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 McDowell dissenting due to neighborhood incompatibility and wetlands and traffic both not addressed and Commissioner Emrich dissenting:

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

No: 2 - Commissioner Emrich and Commissioner McDowell

Mr. Fletcher and Ms. Slayton spoke to meeting procedure recommendations.

E. [ORD. NO. 2023-30](#)

An Ordinance of the City of North Port, Florida, Authorizing a Reasonable Return on Equity from the Ownership and Operation of the City's Utility System; Amending the Code of the City of North Port, Florida, Section 78-22; 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.

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 Ordinance No. 2023-30 as presented. The motion carried on the following vote with Commissioner McDowell dissenting:

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

No: 1 - Commissioner McDowell

Resolution:

J. [RES. NO. 2023-R-78](#)

A Resolution of the City Commission of the City of North Port, Florida, Adopting a Payment in Lieu of Taxes Charged in Addition to the Water Base Facility Charge, Water Consumption Charge and Bulk Water

Charge; Providing for Incorporation of Recitals; Providing for Adoption of Payment in Lieu of Taxes; Providing for Exclusions to Payment in Lieu of Taxes; 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 incorporation within budget and general fund, fund usage and allocation, and ad valorem taxes for City services.

Ms. Slayton spoke to resolution whereas clause verbiage and legal standards.

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 adopt Resolution No. 2023-R-78 as presented. The motion carried on the following vote with both Commissioner Emrich and Commissioner McDowell dissenting due to utilities customers already paying ad valorem taxes and do not need to pay twice. The motion carried on the following vote:

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

No: 2 - Commissioner Emrich and Commissioner McDowell

G. [RES. NO. 2023-R-45](#)

A Resolution of The City of North Port, Florida, Adopting the 2023 Revisions to The City of North Port, Florida Comprehensive Emergency Management Plan as The Formal Guide of The City of North Port’s Emergency Management Activities; Incorporating 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 the Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding missing exhibit designation.

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-45 as presented. The motion carried on the following vote:

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

ORDINANCE - Second Reading:

- F. 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.

Mr. Powell read the Resolution by title only.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon to continue Ordinance No. 2023-33 to the December 12, 2023 Commission Regular Meeting. The motion carried on the following vote:

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

Commission questions and discussion took place regarding meeting procedure.

Resolution:

- H. [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.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to continue Resolution No. 2023-R-82 and Resolution No. 2023-R-74 to the December 12, 2023 Commission Regular Meeting.

Commission questions and discussion took place regarding potential future discussion.

The motion carried on the following vote:

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

- I. [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.

This Item was discussed with Resolution No. 2023-R-82.

This Item was continued to the December 12, 2023 Commission Regular Meeting.

- K. [RES. NO. 2023-R-85](#)** A Resolution of the City Commission of the City of North Port, Florida, Approving a Subordination of City Utility Interests Along the South Side of Tamiami Trail in Wellen Park for the Florida Department of

Transportation for Highway Purposes; Providing for Incorporation of Recitals; 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 Langdon, to adopt Resolution No. 2023-R-85 as presented. The motion carried on the following vote:

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

ORDINANCE - Second Reading:

D. [ORD. NO. 2023-29](#)

An Ordinance of the City of North Port, Florida, Establishing a Schedule and Location of City Commission Regular Meetings and Workshops for the 2024 Calendar Year; Providing for Findings; 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 Ordinance 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 McDowell, seconded by Vice Mayor Stokes, to adopt Ordinance No. 2023-29 as presented. 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. [23-1636](#)

Commissioner Langdon's Communications

Commissioner Langdon did not provide a report.

- B. [23-1637](#) Mayor White's Communications
Mayor White did not provide a report.
- C. [23-1639](#) Commissioner McDowell's Communications
Commissioner McDowell did not provide a report.
- D. [23-1640](#) Vice Mayor Stoke's Communications
Vice Mayor Stokes did not provide a report.
- E. [23-1638](#) Commissioner Emrich's Communications
Commissioner Emrich did not provide a report.

9. ADMINISTRATIVE AND LEGAL REPORTS:

- A. [23-1680](#) City Manager Monthly Report
Mr. Fletcher spoke to staff appreciation.
- B. [23-1659](#) City Attorney's Monthly Report
Ms. Slayton did not provide a report.
- C. [23-0435](#) City Clerk's Monthly Report
Ms. Faust did not provide a report.

10. ADJOURNMENT:

Mayor White adjourned the meeting at 11:42 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk