



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, September 12, 2023

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor Langdon called the meeting to order at 10:15 a.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, Police Chief Todd Garrison, Fire Chief Scott Titus, Development Services Director Alaina Ray, Assistant Development Services Director Lori Barnes, Assistant City Manager Jason Yarborough, Assistant City Manager Julie Bellia, Public Works Director Chuck Speake, Human Resources Director Christine McDade, Human Resource Coordinator Yvonne Gibson, Utilities Director Nancy Gallinaro, Accreditation Officer Dawn Shorter, Parks and Recreation Director Sandy Pfundheller, Grants Division Manager Valerie Malingowski, Accounting Manager Scott Skipper, Recreation Manager Shelby Mendelson, Planner III Carl Bengel, and Code Enforcement Manager Kevin Raducci

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by City Clerk Heather Faust.

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 presented. The motion carried on the following vote:

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

2. PUBLIC COMMENT:

There was no public comment.

3. ANNOUNCEMENTS**A. [23-0444](#) 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.

Mr. Fletcher noted items pulled from the Consent Agenda for discussion.

Public comment:

Ms. Faust read the following eComment into the record:

Donna Nash: expressed concern for spending relating to Item No. 23-1267.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve the Consent Agenda with the exception of Item Nos. 23-1111, 23-1228, 23-1282, and 23-1331 being pulled for discussion. The motion carried on the following vote:

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

A. [23-1054](#) Award RFB No. 2022-16 for Janitorial Services to Clean Space, Inc., in the Amount of \$276,101.54 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.

B. [23-1106](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Purchase Order With Wharton-Smith, Inc. for Site Work to Support Temporary Buildings at Warm Mineral Springs Park Under Purchase Order No. 049821 in an Amount Not to Exceed \$75,208.93.

This item was approved on the Consent Agenda.

C. [23-1108](#) Ratification of City Manager's Use of Emergency Authorization to Enter Into a Purchase Order With Halfacre Construction Company for Repairs to the Scout House at Dallas White Park Under Purchase Order No. 050009 in an Amount Not to Exceed \$75,627.60.

This item was approved on the Consent Agenda.

- D. [23-1267](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with TSC Jacobs, Inc. to Perform Emergency Restoration to Clarifier #1 at the Southwest Water Reclamation Facility Under Purchase Order 049932 Not to Exceed \$20,056.00.

This item was approved on the Consent Agenda.

- E. [23-1269](#) Ratification of City Manager's Use of Emergency Authorization to Enter into a Contract with Dejonge Excavating Contractors, Inc. to Perform Emergency Restoration to the Collection and Distribution System and Emergency Hauling Services Under Purchase Order 049729 Not to Exceed \$1,260.00.

This item was approved on the Consent Agenda.

- F. [23-0367](#) Approve the First Amendment to the Community Development Block Grant Subrecipient Agreement Between Sarasota County, Florida and the City of North Port, Florida for the Pan American Boulevard Seawall Renovation, Extending the Timeline

This item was approved on the Consent Agenda.

- G. [23-1111](#) Approve the Award of Funds From the Special Event Assistance Program to People for Trees, Inc. in Support of the Tour de North Port, in an Amount up to, and Not to Exceed \$500 to Cover the Costs of City Fees and Resources.

Mayor Langdon announced the item.

Vice Mayor White noted her position as an unpaid Board Member on People for Trees.

There were no Commission questions or discussion.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve Item No. 23-1111 as presented. The motion carried on the following vote with Vice Mayor White abstaining due to being an unpaid Board Member on People for Trees:

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

Abstain: 1 - Vice Mayor White

- H. [23-1122](#) Approve the Memorandum of Understanding By and Between the Sarasota County Sheriff's Office and the City of North Port, Florida, on Behalf of the North Port Police Department Regarding Carrying Firearms and Weapons in Court Facilities.

This item was approved on the Consent Agenda.

- I. [23-1153](#) Approve the Appointment of Keith Brown for a Fourth Term as a Trustee to the North Port Police Officers' Pension Board of Trustees.

This item was approved on the Consent Agenda.

- J. [23-1154](#) Approve the Appointment of Matthew Koratich as a Regular Member of the Zoning Board of Appeals, to Serve a Term From September 12, 2023, to September 12, 2026.

This item was approved on the Consent Agenda.

- K. [23-1164](#) Approve the State of Florida Department of Environmental Protection Standard Grant Agreement No. HA008 for Repairs to Fixed Weir 123 in the Amount of \$471,000.

This item was approved on the Consent Agenda.

- L. [23-1169](#) Approval of Projects for 2024 State and Federal Legislative Funding Consideration.

This item was approved on the Consent Agenda.

- M. [23-1228](#) Approve the Interlocal Agreement for Commercial Driver License Training Between the Charlotte County Public Schools and the City of North Port, Florida.

Mayor Langdon announced the item.

Commission questions and discussion took place regarding Commercial Driver's License (CDL) training versus traditional education relating to current reimbursement policy, policy revision and CDL training timeline, new employee requirements relating to CDL training, employee role and responsibilities before obtaining CDL, direction requested, and costs.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve Item No. 23-1228 as presented.

Commission questions and discussion continued regarding ensuring accuracy of reimbursement policy.

The motion carried on the following vote:

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

- N. [23-1230](#) Approve the InSite - Florida Intelligence System Agency Agreement to Allow Authorized Users to Exchange Criminal Intelligence Information Through the Florida Intelligence System at no Cost to the City of North Port, Florida.

This item was approved on the Consent Agenda.

- O. [23-1238](#) Approve the Second Amendment to Agreement No. 2021-17 Professional Architectural and Engineering Services for City of North Port Police Department Facilities to Expand the Scope of Service of Schenkel & Shultz, Inc. to Phase II – Schematic Design for the New Police Headquarters and an Emergency Operations Center Facility for a Total Consultant Fee of \$1,198,030.00.

This item was approved on the Consent Agenda.

- P. [23-1257](#) Accept the Cash Receipts Summary Report for July 2023.

This item was approved on the Consent Agenda.

- Q. [23-1148](#) Accept the Cash Receipts Summary Report for June 2023.

This item was approved on the Consent Agenda.

- R. [23-1277](#) Approve the CrowdStrike Falcon Complete Limited Warranty Agreement for the Provision of Insurance Coverage in the Event of a Security Incident.

This item was approved on the Consent Agenda.

- S. [23-1282](#) Approve the City of North Port 2024 State and Federal Legislative Priorities.

Mayor Langdon announced the item.

Commission questions and discussion took place regarding additions to State legislative priorities home rule, State versus Federal legislative priorities affordable housing verbiage, and City facts versus priorities.

There was consensus to amend the 2024 North Port State Legislative Priorities under Home Rule to state: "Oppose cost shifts, unfunded mandates, or preemptions of North Port City Charter authority and support the State Constitution giving local government the authority to self-govern."

There was consensus to amend the 2024 North Port State Legislative Priorities under Affordable Housing to remove the word "all" and to state: "Supports initiatives and incentives to support affordable housing projects that do not preempt commercial land uses."

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve Item No. 23-1282 including the two consensuses given today. The motion carried on the following vote:

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

- T. [23-1284](#) Approve the Sole Source Purchase of a New Kohler 1200-amp Automatic Transfer Switch (ATS) from Tampa Armature Works Power Systems for a Total of \$278,300.00.

This item was approved on the Consent Agenda.

- U. [23-1292](#) Approve the Updating of the Online Portal and Completion of the Medicare Enrollment Application to Reflect Mayor Langdon as the Assigned Authorized Official to Allow for North Port Fire Rescue's Primary Billing Company, Digitech, to Submit Claims and Receive Remits on North Port Fire Rescue's behalf.

This item was approved on the Consent Agenda.

- V. [23-1331](#) Approve the Agreement for Waiver of Local Match Requirements for Public Assistance For Hurricane Ian (SB4A Waiver).

Mayor Langdon announced the item.

Commission questions and discussion took place regarding State funding allocation and benefited parties.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to approve Item No. 23-1331 as presented. The motion carried on the following vote:

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

- W. [23-1172](#) Approve Work Assignment 2023-11 Per Contract 2020-58-01 With Ardaman & Associates, Inc. for Geotechnical Engineering and Investigation/Survey Related to Proposed Future Development of Warm Mineral Springs Park in the Amount of \$250,787.

This item was approved on the Consent Agenda.

- X. [23-1156](#) Approve the Appointment of David Spisak as an Alternate Member of the Parks and Recreation Advisory Board, to Serve a Term From September 12, 2023, to September 12, 2026.

This item was approved on the Consent Agenda.

- Y. [23-1266](#) Approve the Appointment of Casey MCGowan as a Regular Member of the Environmental Advisory Board, to Serve a Term From September 12, 2023, to September 12, 2026, and Approve the Reappointment of Lola Robinson for a Second Term as a Student Member of the Environmental Advisory Board, to Serve a Term From September 12, 2023, to September 12, 2024.

This item was approved on the Consent Agenda.

- Z. [23-1187](#) Approve the July 10, 2023 Commission Workshop Meeting Minutes

This item was approved on the Consent Agenda.

- AA. [23-1189](#) Approval of Minutes for the July 19, 2023 Commission Workshop Meeting and the July 19, 2023 Commission Special Meeting

This item was approved on the Consent Agenda.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A. [23-1298](#) Presentation by Wade Sansbury of the Annual Comprehensive Financial Report for the Fiscal Year Ending September 30, 2022.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Wade Sansbury, Mauldin and Jenkins, spoke to audit overview, financial performance, fund balance, pension funds, Federal awards, auditor analysis, and training provided.

Commission questions and discussion took place regarding audit timeline, pension funds versus Florida Retirement System (FRS), and direction requested.

There was no public comment.

- B. [23-1346](#) Presentation by Barbara Lockhart, President and Founder of the Environmental Conservancy of North Port, Inc. on Ideas for Preserving North Port's Eco-System

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Barbara Lockhart, Environmental Conservancy of North Port, provided a presentation including tree plantings, native planting removal, underbrush, wildlife, pollinators, tree fund usage, advisory board involvement, native plant growers/rescuers club, sabal palm environmental benefits, growth timeline, and collaboration opportunities.

Commission questions and discussion took place regarding ecosystem preservation, grass versus pollinators, advisory board involvement, Florida-friendly landscaping, palm versus tree environmental benefits, and Natural Resource Division role.

There was no public comment.

6. PUBLIC HEARINGS:

PETITION

- A. [CC](#)
[CIP-23-052](#) Consideration of Petition No. CIP-23-052, City of North Port Utilities Administration and Field Operations Complex Development Master Plan (QUASI-JUDICIAL)

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

In response to Commission questions, Ms. Slayton spoke to ex-parte communication disclosure requirements.

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

Ms. Faust stated there were no aggrieved parties.

Tim Hancock, Stantec, being duly sworn, provided a presentation including overview, site selection process, location, operations, aerial view, acreage, wetlands, administration building, warehouse, access points, vehicle storage, Activity Center 1, waiver requests, and requested approval.

Ms. Barnes, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, zoning, future land use, acreage, general development area, aerial view, neighborhood meeting, Development Master Plan (DMP), waiver requests, conditions, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding Phase 2 intent and timeline, administration building expansion potential, naming timeline, walking trail versus path, garden type and details, and native plantings.

There were no closing arguments by Staff or the Applicant.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve Petition No. CIP-23-052 as presented and find that based on the competent substantial evidence, the Development Master Plan complies with the Unified Land Development Code.

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Emrich, to include the following waivers and conditions:

Waivers:

- 1. A waiver from compliance with the Mediterranean Revival Architectural Style for Buildings and accessory structures, to allow for the architectural style shown on the attached building elevations (Exhibit F). The building design utilizes a fluted metal cladding system and Phenolic panel cladding in earth tones to soften the tiltup concrete walls.***
- 2. A waiver from any required walking/fitness path along the Myakkahatchee Creek.***
- 3. A waiver from the requirement that parking in front of a building is limited to one row to allow the parking configuration shown on the DMP plan set (Exhibit E).***
- 4. A waiver from the design standards related to the light poles for the parking area designated for employee and service vehicle parking. Only light poles within the customer and visitor parking area on the west side of the administration building***

will be required to comply with the UDSPB standards.

5. A waiver from ULDC Section 53-106. A. (2) 100 feet Minimum Street Frontage, each lot or parcel of land within a Planned Community Development (PCD) District proposed for use as nonresidential shall have a minimum frontage of one hundred (100) feet on an approved public or private street.

6. Due to existing native vegetation along the Myakkahatchee Creek, a waiver is requested that no buffer be provided along this section of the property for a length of 1,464 linear feet as shown on the DMP Plan set (Exhibit E)

7. A waiver from the requirement that the 8-foot privacy wall located adjacent to multi-family on both the north and south side of the project meander every forty feet.

8. ULDC Sec. 55-6 provides that bicycle and pedestrian amenities shall be provided as determined by the square footage of the building(s) on the site. The waiver request is only to provide the required number of bike racks calculated on the square footage of the Utility Administration Building. Since the warehouse building is not accessible by the public, the required bicycle rack and pedestrian amenities(s) shall only apply to the administration building. Thus, the requirement would be that one bicycle rack be provided in proximity to the Administration Building.

Conditions:

1. Placement of all trees and landscaping requirements will apply during the site development/infrastructure stage.

2. The Hydrant and Fire Department Connections (FDC) for the project must be located not closer than twenty-five feet (25') and not more than one hundred feet (100') from a fire hydrant and meet the requirements set forth in § 60-8 of the City of North Port's Unified Land Development Code (ULDC).

3. The construction of the drive aisles located on the southern access easement can be included in the major site and development plan for the overall site. Since the property owner is not the City of North Port, a joint application with the property owner, including a signed and notarized affidavit, is required at the time of submittal. Sidewalks and street trees will be required when the 5400 Group, LLC site is developed, and the southern access easement becomes public access. This will be a condition of approval on the development order at the time of site development.

4. A copy of the recorded stormwater easement or agreement between the City of North Port and the WNP property is required at the time of site development.

5. Environmental conditions apply at the site and development/infrastructure stage concerning removing trees, underbrush, and vegetation. If applicable, the developer shall follow the current gopher tortoise survey and relocation requirements. January 2023 survey found no gopher tortoises onsite. In addition, a copy of the approved Environmental Resource Permit (ERP) must be provided prior to any construction that impacts the wetland.

6. The stormwater management system must meet all requirements in the City of North Port Unified Land Development Code (ULDC) Stormwater Regulations.

7. DEP permit applications related to water and sewer, water lines, floor plans and plumbing risers, and irrigation systems. They will be addressed at the major site and development stage.

The motion to amend carried on the following vote:

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

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 approval of DMP versus Capital Improvement Project (CIP).

B. [CC](#) Consideration of Petition No. PLF-23-113, Wellen Park Village E Tract
[PLF-23-113](#) 505, Re-Plat (QUASI-JUDICIAL).

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

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

Vice Mayor White disclosed questions with staff.

Ms. Faust stated there were no aggrieved parties.

Ms. Barnes, being duly sworn, noted the applicant is not present, and provided a presentation including overview, applicant, property owner, request, location, aerial view, community garden, stormwater drainage, 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 Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve the Wellen Park Village E Tract 505 Re-Plat, Petition No. PLF-23-113, 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 - Mayor Langdon, Vice Mayor White, Commissioner Emrich, Commissioner McDowell and Commissioner Stokes

ORDINANCE - First Reading:

C. [ORD. NO.](#) An Ordinance of the City of North Port, Florida, Adopting the Toledo
[2023-19](#) Village, Village District Pattern Plan for a ±2,086 Acre Area Located North of Interstate 75, East of Toledo Blade Boulevard, West of Orange Hammock Wildlife Management Area, and South of the City of North Port

Municipal Boundary; Amending the Unified Land Development Code, Chapter 53, Article XVIII – V Village, Section 53-214 Subsection F to Incorporate the Pattern Plan by Reference; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an 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 McDowell, 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 McDowell, Commissioner Stokes, Mayor Langdon, and Commissioner Emrich disclosed no ex-parte communications.

Vice Mayor White disclosed questions with staff.

Ms. Faust stated there were no aggrieved parties.

Jackson Boone, Boone Law Firm, Alexis Crespo, RVi Planning and Landscape Architecture, Christopher Hatton, Kimley-Horn & Associates, and John Barnott, Forestar Group, all being duly sworn, provided a presentation including overview, acreage, wetlands, project team, aerial view, acreage, property overview, 2007 pattern plan, proposed pattern plan, district pattern plan, entrance parcel, village park, housing types, roadway details, design standards, infrastructure/public facilities, transportation improvements, consistency with the Comprehensive Plan, recommendations, and requested approval.

Mr. Benge, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, acreage, history, relevant Ordinances, dwelling units, housing types, environmental layout, architectural standards, and compliance with Unified Land Development Code (ULDC) and the Comprehensive Plan.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding error relating to Western versus Eastern edge, emergency access cul-de-sac accessibility, exclusion of village center design standards, previous village district pattern plan approval and expiration process, village park property designation, properties abutting Interstate 75, housing types, and wetlands versus native wetlands preservation.

Mr. Benge provided a closing argument regarding clarity for previous village district pattern plan approval and expiration process.

Mr. Barnott provided a closing argument regarding naming of village district.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to continue Ordinance No. 2023-19 to second reading on September 26, 2023. The motion carried on the following vote:

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

Recess was taken from 12:18 p.m. to 1:18 p.m.

D. [ORD. NO. 2023-24](#)

An Ordinance of the City of North Port, Florida, Regarding Parking and Storage of Certain Vehicles on Residential Lots; Amending the Code of the City of North Port, Florida, Section 59-1 and Section 59-2; and Repealing Section 59-16 of the Code of the City of North Port, Florida; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Langdon 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 McDowell, 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.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding meeting procedure, definitions and applicable uses of boat, trailer, bus, residential lot, vehicle light duty, vehicle heavy duty, inoperable vehicle, driveway, and improved surface versus City Code and Florida Statutes, roadway weight limitations, prohibited parking in public right-of-way, unlicensed vehicle limitations and references to inoperable vehicle definition, vehicle light versus heavy duty, buffer requirements, wall versus fence permits, right-of-way and swale maintenance and repair responsibility, and reporting damages process.

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 continue Ordinance No. 2023-24 to second reading on September 26, 2023. The motion carried on the following vote with Commissioner McDowell dissenting due to disagreeing with numerous items included in the Code.

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

No: 1 - Commissioner McDowell

E. [ORD. NO. 2023-23](#)

An Ordinance of The City of North Port, Florida, Related to Lodging Out-of-Doors on Private and City-Owned Property; Creating a New Section

46-4 of The Code of The City of North Port, Florida; Repealing Chapter 46, Article V – Camping, of The Code of The City of North Port, Florida; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

A motion was made by Commissioner Stokes, 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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding radius limitation, squatting prevention, and citation inclusion.

In response to Commission discussion, Ms. Slayton spoke to legal limitations relating to enforcement.

Commission questions and discussion continued regarding permit limitations and enforcement, trespassing process and options, Code Enforcement and Police collaboration process, lodging out-of-doors versus squatting determination process, intent, temporary sanitation facility definition, Code Enforcement Officer availability, and proposed Unified Land Development Code definition comparisons.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, to continue Ordinance No. 2023-23 to second reading on October 24, 2023.

Commission discussion continued regarding second reading timeline.

The motion was restated by Commissioner McDowell, seconded by Commissioner Emrich, to continue Ordinance No. 2023-23 to second reading on September 26, 2023. The motion carried on the following vote:

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

F. [ORD. NO. 2023-27](#)

An Ordinance of the City Of North Port, Florida, Amending the City of North Port Comprehensive Plan Chapter 4, Utilities Element, Policy 1.1.5; Adopting the City of North Port 10-Year Water Supply Facilities Work Plan; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date

Mayor Langdon 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 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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding denoting legislative text.

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 continue Ordinance No. 2023-27 to second reading on September 26, 2023.

Commission discussion continued regarding second reading timeline.

The motion was restated by Commissioner Stokes, seconded by Commissioner McDowell, to continue Ordinance No. 2023-27 to second reading on a date to be determined. The motion carried on the following vote:

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

G. [ORD. NO. 2023-20](#)

An Ordinance of the City of North Port, Florida, Related to the Operation of Mobile Food Vendors at the Warm Mineral Springs Park; Amending the Code of the City of North Port, Florida, Section 34-1; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

A motion was made by Commissioner Stokes, 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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding two versus four designated parking spaces and revisiting parking needs as necessary.

There was no public comment.

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. 2023-20 to second reading on September 26, 2023. The

motion carried on the following vote:

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

Recess was taken from 2:44 p.m. to 2:54 p.m.

Commission discussion continued regarding reordering the Agenda.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to reorder the Agenda to hear Item No. 23-1263 at this time. The motion carried on the following vote:

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

GENERAL BUSINESS:

- A. [23-1263](#) Review and Approval of the Art Advisory Board Recommendation for the Creation of a Mural at the Community Education Center Building in Support of the Senior Center at a Cost Not to Exceed \$10,000.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Mendelson provided an overview and history.

Laura Pucci, Artist, provided a presentation including Florida native butterfly garden, mural, costs, and supplies used.

Commission questions and discussion took place regarding mural placement, community benefits, comparisons, pressure washing process, and timeline.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner Emrich, seconded by Vice Mayor White, to approve the Art Advisory Board recommendation for the creation of a mural at the Community Education Center building in support of the Senior Center at a cost not to exceed \$10,000. The motion carried on the following vote:

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

ORDINANCE - Second Reading:

- H. [ORD. NO. 2023-21](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Appendix A - City Fee Structure, to Change Certain Building, Fire Rescue, Police, Parks and Recreation, Facility Rental, Solid Waste, Utilities, and Road And Drainage Fees; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; 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 Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding missing unauthorized connection fee, current fee amount, first reading proposed versus current fee, first reading direction provided, and legal review process relating to fee changes.

In response to Commission discussion, Ms. Slayton spoke to the timeline for amending the unauthorized connection fee relating to the approval of Ordinance No. 2023-21.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Emrich, seconded by Vice Mayor White, to adopt Ordinance No. 2023-21 as presented.

Commission discussion continued regarding amendment timeline.

A motion to amend was made by Commissioner McDowell, to change the unauthorized connection fee to be \$1000 as recommended by staff at first reading.

In response to Commission discussion, Ms. Slayton spoke to first reading legal review process.

Commissioner McDowell withdrew the motion to amend.

The motion carried on the following vote:

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

RESOLUTION:

- I. [RES. NO. 2023-R-21](#) A Resolution of the City Commission of the City of North Port, Florida, Adopting City Commission Policy No. 2023-01 Related to Requiring Prior Authorization for Use of the Commission Contingency Account; 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.

Ms. Jimenez introduced the item.

Commission questions and discussion took place regarding inclusion of all Charter Officers and fund transfers to special districts.

There was consensus to amend "City Manager" to state "Charter Officer".

There was consensus to direct the City Clerk to work with the City Attorney and Finance to incorporate language in Section III C regarding transfers to special districts or any other fund.

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 Emrich, to adopt Resolution No. 2023-R-21 including the two consensuses given in Policy No. 2023-01 with a copy of the final policy sent to Commission. The motion carried on the following vote:

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

- J.** [RES. NO. 2023-R-50](#) A Resolution of the City Commission of the City of North Port, Florida, Regarding the Reimbursement of Certain Costs Relating to the Acquisition, Construction, Rehabilitation, Replacement, and Equipping of Certain Capital Improvements for the City's Price Boulevard Road Widening Project; Providing for Incorporation of Recitals; Providing a Declaration of Intent; 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 modifying verbiage indicating current versus future expenditures reimbursement.

In response to Commission discussion, Ms. Slayton spoke to bond counsel consultation and legal review process.

Commission questions and discussion continued regarding concerns relating to Price Boulevard Road Widening Project shortfall due to surtax reimbursement.

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-50 as presented. The motion carried on the following vote with Commissioner McDowell dissenting due to concern of ambiguous verbiage surrounding surtax reimbursement causing a potential shortfall to the Price Boulevard Road Widening Project.

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

No: 1 - Commissioner McDowell

- K.** [RES. NO. 2023-R-66](#) A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2022-2023 for Overtime and Operating Costs for the Facilities Maintenance Budget in the Amount of \$369,000: Providing for Findings; Providing for Posting; 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 Emrich, to adopt Resolution No. 2023-R-66 as presented. The motion carried on the following vote:

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

7. GENERAL BUSINESS:

- B.** [23-0773](#) Discussion and Direction Regarding the Reallocation of Coronavirus State and Local Fiscal Recovery Funds From Wellen Park General Government Building to Fire Station 81 Renovation.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Malingowski provided an overview and history.

Commission questions and discussion took place regarding Fire Station 81 timeline relating to funding and development agreement status and timeline.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to direct staff to remove \$2 million allocated to Capital Improvement Project No. BD20WD and allocate the \$2 million to Fire Station 81 Capital Improvement Project No. F17R81. The motion carried on the following vote:

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

- C.** [23-0905](#) Discussion and Possible Action Regarding the Temporary Suspension of the Historic and Cultural Advisory Board Sunset Provision.

Mayor Langdon announced the item.

Ms. Faust introduced the item.

Commission questions and discussion took place regarding community benefits, City history, encouraging participation, sunset timeline and extension possibility, Historic and Cultural Advisory Board goals and direction, and reviewing roles and responsibilities.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to direct the City Clerk to draft a Resolution continuing the temporary suspension of the Historic and Cultural Advisory Board for one year from the original sunset date.

Commission questions and discussion continued regarding timeline relating to sunset date.

The motion carried on the following vote:

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

Commission questions and discussion continued regarding regular versus workshop meeting.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct the City Clerk to create an agenda item for discussion and possible action inviting all former advisory board members from the Historic and Cultural Advisory Board to the meeting for input and feedback on the current duties outlined for this advisory board and discussion on accepting applications at a future date.

Commission questions and discussion continued regarding former and current members, Historic and Cultural Advisory Board inception timeline, accepting applications timeline, recruiting, feedback requested, direction and goals, and adjusting term limit.

The motion carried on the following vote:

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

Recess was taken from 4:16 p.m. to 4:21 p.m.

D. [23-1229](#)

Discussion and Possible Action Regarding Approval of the July 25, 2023 Commission Regular Meeting Minutes

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to approve the July 25, 2023 Meeting Minutes as presented.

Commission questions and discussion continued regarding inclusion of recommended changes.

The motion was restated by Commissioner Stokes, seconded by Commissioner Emrich, to approve the July 25, 2023 Meeting Minutes as presented with

recommended changes. The motion carried on the following vote:

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

E. [23-1340](#) Discussion and Possible Action Regarding Renaming the Columbus Day Holiday to "Indigenous Peoples' Day."

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Vice Mayor White spoke to the item regarding replacing versus adding to existing holiday.

Commission questions and discussion took place regarding indigenous population, municipality comparisons, terminology usage, Federal versus State recognized holidays, proclamation comparisons and possibility, and direction requested.

Public comment:

Ms. Faust read the following eComment into the record:
Bobby Schotte: expressed opposition.

A motion was made by Vice Mayor White, to add "Indigenous Peoples' Day" in addition to "Columbus Day" on the City calendar. The motion failed due to lack of second.

8. PUBLIC COMMENT:

There was no public comment.

9. COMMISSION COMMUNICATIONS:

A. [23-1056](#) Mayor Langdon's Communications

Mayor Langdon reported on important topics and events attended.

B. [23-1057](#) Vice Mayor White's Communications

Vice Mayor White reported on important topics and events attended.

C. [23-1058](#) Commissioner Emrich's Communications

Commissioner Emrich did not provide a report.

D. [23-1059](#) Commissioner McDowell's Communications

Commissioner McDowell reported on important topics and events attended.

Consensus was requested to receive permission to work with staff to potentially host an elected officials workshop relating to Form 6.

E. [23-1060](#) Commissioner Stokes' Communications

Commissioner Stokes reported on important topics and events attended.

10. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Fletcher provided a report regarding employee recognition and status.

Ms. Slayton did not provide a report.

Ms. Faust did not provide a report.

11. ADJOURNMENT:

Mayor Langdon adjourned the meeting at 5:06 p.m.

City of North Port, Florida

By: _____
Barbara Langdon, Mayor

Attest: _____
Heather Faust, City Clerk