



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular Meeting

CITY COMMISSIONERS

Pete Emrich, Mayor
Barbara Langdon, Vice Mayor
Jill Luke, Commissioner
Debbie McDowell, Commissioner
Alice White, Commissioner

APPOINTED OFFICIALS

Jerome Fletcher, City Manager
Amber L. Slayton, City Attorney
Heather Taylor, City Clerk

Tuesday, May 10, 2022

10:00 AM

City Commission Chambers

CALL TO ORDER

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

ROLL CALL

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

Also Present

City Manager Jerome Fletcher, City Attorney Amber Slayton, City Clerk Heather Taylor, Assistant City Clerk Adrian Jianelli, Fire Chief Scott Titus, Police Chief Todd Garrison, Planner II Noah Fossick, Planner III Sherry Willette-Grondin, Parks and Recreation Director Sandy Pfundheller, Assistant Parks and Recreation Director Tricia Wisner, Utilities Director Nancy Gallinaro, Utilities Engineering Division Manager Mike Acosta, Assistant Utilities Director Jennifer Derosiers, Neighborhood Development Services Director Alaina Ray, Business Manager Katrina Romano, and Assistant City Manager Julie Bellia

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Mayor Pete Emrich.

A moment of silence was held for North Port Police Officer Anthony Cornine and North Port Police Chaplain Mike Saxton.

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

Ms. Taylor played the following voice mail comment into the record:

Connie Brunni: concern regarding Commission retreat

Ms. Jianelli read the following e-comments into the record:

Noah Shields: concern regarding rising water levels in Southwest Florida

Stephanie Gibson: concern regarding Commission retreat

3. ANNOUNCEMENTS**A. [22-2786](#) Current Vacancies and Upcoming Expirations for Boards and Committees**

Mayor Emrich announced the item.

Ms. Taylor read the announcements into the record.

4. CONSENT AGENDA:

Mayor Emrich announced the item.

Mr. Fletcher noted no items were pulled from the Consent Agenda for discussion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to approve the Consent Agenda as presented. The motion carried on the following vote:

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

A. [21-0947](#) Approve the Asset Disposition and Recommended Method of Disposal Dated May 2022 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 the Consent Agenda.

B. [22-2732](#) Approve the Disposition of Surplus Assets in an Appropriate Fashion Pursuant to Chapter 2 Administration, Article VIII Procurement, Section 2-419, Disposition of City Assets and Property (d), (1) of the Code of the City of North Port, Florida.

This item was approved on the Consent Agenda.

C. [22-2727](#) Accept the Cash Receipts Summary Report for March 2022.

This item was approved on the Consent Agenda.

- D. [22-2750](#) Approve Endorsement of Projects to Receive Fiscal Year 2023 Sarasota County Community Development Block Grant Funding

This item was approved on the Consent Agenda.

- E. [22-2763](#) Approval of Sean Burroughs as the Medical/Healthcare Representative on the Community Economic Development Advisory Board to Serve a Two-Year Term from May 10, 2022, to May 10, 2024.

This item was approved on the Consent Agenda.

5. PUBLIC HEARINGS:

PETITION:

- A. [CC](#)
[PLF-22-022](#) Consideration of Petition No. PLF-22-022, Main Street Ranchlands Plat No. 3 Final Plat (QUASI-JUDICIAL)

Mayor Emrich announced the item, stated this is a quasi-judicial hearing, and opened the public hearing.

Ms. Taylor read the Petition title and swore in those wishing to provide testimony.

There were no ex-parte communications from Commissioner McDowell, Commissioner White, Mayor Emrich, and Vice Mayor Langdon.

Commissioner Luke disclosed a site visit.

Ms. Taylor noted there were no aggrieved parties.

Ms. Taylor swore in John Luczynski.

John Luczynski, Senior Vice President Wellen Park, being duly sworn, provided a presentation including parcel size, property closure, and location.

Ms. Willette-Grondin, being duly sworn, provided a presentation including aerial location map, planned development, size acreage, attorney and surveyor review, and staff recommendation.

There was no rebuttal by the Applicant or Staff.

There was no public comment.

There were no Commission questions.

There were no closing arguments by Staff or the Applicant.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Langdon, to approve Petition No. PLF-22-022 as presented.

Discussion took place regarding suggested motion language.

Vice Mayor Langdon withdrew her second.

Commissioner McDowell restated the motion, seconded by Vice Mayor Langdon, to approve Petition No. PLF-22-022 as presented and find that, based on the competent substantial evidence, the Main Street Ranchlands Plat No. 3 Final Plat complies with the Unified Land Development Code and Florida Statutes Chapter 177. The motion carried on the following vote:

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

B. [CC](#) [PLF-22-010](#) Consideration of Petition No. PLF-22-010, Main Street Ranchlands Plat No. 1 Final Plat (QUASI-JUDICIAL)

Mayor Emrich announced the item, stated this is a quasi-judicial hearing, and opened the public hearing.

Ms. Taylor read the Petition title and swore in those wishing to provide testimony.

There were no ex-parte communications by Commissioner McDowell, Commissioner White, Mayor Emrich and Vice Mayor Langdon.

Commissioner Luke disclosed a site visit.

Ms. Taylor noted there were no aggrieved parties.

John Luczynski, Senior Vice President Wellen Park, being duly sworn, provided a presentation including aerial location map and proposed land use.

Mr. Fossick, being duly sworn, provided a presentation including aerial location map, site acreage, attorney and surveyor approval, and Planning and Zoning Advisory Board (PZAB) and staff recommendations.

There was no rebuttal by the Applicant or Staff.

There was no public comment.

There were no Commission questions.

There were no closing arguments by Staff or the Applicant.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Vice Mayor Langdon, seconded by Commissioner Luke, to approve Petition No. PLF-22-010 as presented and find that, based on the competent substantial evidence, the Main Street Ranchlands Plat No. 1 Final Plat complies with the Unified Land Development Code and the Florida Statutes Chapter 177. The motion carried on the following vote:

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

ORDINANCE - First Reading:

- C. [ORD. NO. 2022-10](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan to Add Chapter 12 Property Rights Element; Adding Goals, Objectives, and Policies Pursuant to Florida Statutes Section 163.3177; Repealing City of North Port Comprehensive Plan Chapter 2, Goal 4, Objective 12 of the Future Land Use Element Relating to Balancing Property Owner Interests; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

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

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

Ms. Taylor read the Ordinance by title only.

Mr. Fletcher introduced the item.

Mr. Fossick provided a presentation including amending the Comprehensive Plan to add a property rights element, Senate Bill 59, Florida Statute Section 163.177, model language within Florida Statutes, review of surrounding jurisdiction language, relocating existing relevant language within the Comprehensive Plan, legal review, consistency with Florida Statutes, and Planning and Zoning Advisory Board (PZAB) and staff recommendations.

Commission questions and comments took place regarding transmittal of Objective 11, City Attorney recommendation to relocate Goal 4, property rights element transmittal, and State requirements.

There was no public comment.

Ms. Slayton spoke to a change to the "Whereas" clause relative to the date of the PZAB meeting.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the transmittal of Ordinance No. 2022-10 according to State law with adding the Planning and Zoning Advisory Board meeting date of April 21, 2022, and to continue to second reading at a date to be determined. The motion carried on the following vote:

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

- D. [ORD. NO. 2022-04](#) An Ordinance of the City of North Port, Florida, Adopting a Redistricting Plan for the City's Five City Commission Districts in Accordance with Section 2.02 of the Charter of the City of North Port; Amending Sections 2-2 and 2-3 of the Code of the City of North Port, Florida to Provide for the Approved Redistricting Map and Legal Descriptions; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

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

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

Ms. Taylor read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions took place regarding deletion of map image and legal description removal.

There was no public comment.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to continue Ordinance No. 2022-04 to second reading on May 24, 2022. The motion carried on the following vote:

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

- E. [ORD. NO. 2022-12](#) An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to be Placed Before the Qualified Voters of the City of North Port, Florida at the November 8, 2022 General Election; Providing a Referendum Question Determining Whether to Finance the Price Boulevard Widening Project Through the Issuance of Bonds Payable from One-Cent Sales Tax Proceeds; Providing for Findings; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

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

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

Ms. Taylor read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and comments took place regarding number of referendum questions, importance of getting Surtax passed, Surtax loss impact, possible special election, including water control structures, educating residents, use of funds prior to end of current Surtax, and importance of Price Boulevard widening project.

PUBLIC COMMENT:

Phil Stokes: expressed support of Surtax usage and educating citizens

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner Luke, seconded by Vice Mayor Langdon, to continue Ordinance No. 2022-12 to second reading on May 24, 2022. The motion carried on the following vote:

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

F. [ORD. NO. 2022-13](#)

An Ordinance of the City of North Port, Florida, Calling for a Referendum Question to be Placed Before the Qualified Electors of the City of North Port, Florida at the November 8, 2022 General Election; Providing a Referendum Question Determining Whether to Amend the City Charter to Direct the City Manager to Sign All Contracts and Allow the City Commission to Grant the City Manager Authority to Enter into Certain Contracts Without Prior Commission Approval, and to Establish Conditions for that Authority, such as Financial Limits; Providing for the Full Test of the Proposed Charter Amendment; Providing Findings; Providing for an Effective Date for the New Charter Language if the Proposed Charter Amendment is Approved; Providing for the Filing of the Ordinance with the Sarasota County Supervisor of Elections; Providing for Publication of the Test of the Proposed Charter Amendment; Providing for Filing with the Florida Department of State if the Proposed Charter Amendment is Approved; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

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

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

Ms. Jianelli read the Ordinance by title only.

Ms. Slayton introduced the item.

Commission questions and comments took place regarding including the removal of the

Mayor's ability to sign interlocal agreements in the Ordinance title block, ballot question clarification, legislative text clarification, support of policy process, benefit to residents, and establishing parameters and limitations.

PUBLIC COMMENT:

Phil Stokes: expressed support of the Ordinance.

Victor Dobrin: expressed opposition of the Ordinance.

Mayor Emrich closed the public hearing and requests a motion.

A motion was made Commissioner Luke, seconded by Vice Mayor Langdon, to continue Ordinance No. 2022-13 to second reading on May 24, 2022. The motion carried by the following vote:

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

No: 1 - Commissioner McDowell

Commissioner McDowell dissented due to her belief that it is Commission's responsibility and approval of the Ordinance removes the citizens' ability to participate in future contracts and interlocal agreements.

RESOLUTION:

G. [RES. NO. 2022-R-27](#)

A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2021-2022 for Payments Pursuant to the West Villages Developer Agreement (Post Annexation) in the amount of \$1,637,195; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Emrich announced the item and directed the City Clerk to read the Resolution by title only.

Ms. Taylor read the Resolution by title only.

Mr. Fletcher introduced the item.

Commission questions took place regarding fund balance report.

There was no public comment.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to continue Resolution No. 2022-R-27 to second reading on May 24, 2022. The motion carried on the following vote:

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

H. [RES. NO. 2022-R-26](#)

A Resolution of the City Commission of the City of North Port, Florida, Authorizing the Purchase of Real Property Located on Papillon Street and Described at Lot 28, Block 379, 10th Addition to Port Charlotte

Subdivision, Sarasota County Property Appraiser Parcel Identification Number 0980037928; Incorporating Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Emrich announced the item and directed the City Clerk to read the Resolution by title only.

Ms. Jianelli read the Resolution by title only.

Mr. Fletcher introduced the item.

Ms. Gallinaro and Mr. Acosta provided a presentation including location selection, municipal water and wastewater master plans, and vacuum station property acquisition.

There was no public comment.

Commission comments took place regarding prior concerns and current support of project.

Mayor Emrich closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Langdon, to approve Resolution No. 2022-R-26 as presented. The motion carried on the following vote:

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

Recess was taken from 11:40 a.m. until 12:15 p.m.

6. GENERAL BUSINESS:

A. [22-2728](#) Discussion and Possible Action Regarding the Approval of the April 7, 2022 Commission Special Meeting Minutes

Mayor Emrich announced the item.

Ms. Taylor introduced the item.

There were no Commission questions or comments.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the April 7, 2022 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

B. [22-2778](#) Discussion and Possible Action Regarding the Approval of the April 12, 2022 Commission Regular Meeting Minutes

Mayor Emrich announced the item.

Ms. Taylor introduced the item.

There was no public comment.

Commission comments took place regarding the requested changes.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to approve the April 12, 2022 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

C. [22-2331](#)

Discussion and Possible Action Regarding Changes to the City Fee Structure, Appendix A to the Code of the City of North Port, Florida, Including but Not Limited to Fire Rescue Fees, Parks and Recreation Fees, Facility Rental Fees, and Utility Fees.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commission questions took place regarding definition of "youth", facility room rental fees, and completion of the Utility fee analysis.

There was no public comment.

A motion was made by Commissioner McDowell to direct the City Manager and staff to make the proposed changes to the City Fee Structure Appendix A to the City Code as presented with clarification on including the Peterson room for Social Services for potential rental.

Ms. Pfundheller spoke to a future discussion with Social Services to ensure the correct room and future plans for the room.

Ms. Slayton spoke to ensure compatibility of the current building leases.

Discussion took place regarding rental fee category placement, department responsibility, and desired outcome and Commission direction.

Commissioner McDowell restated her motion, seconded by Commissioner White, to approve the proposed changes to City Fees Structure Appendix A to the City Code as presented and to bring back additional information regarding the Community Education Center. The motion carried on the following vote:

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

D. [22-2743](#)

Discussion and Possible Action Regarding Building Permit Fee Study Recommendation to Increase Building Fee Rates.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Bryan Mantz, President of GovRates, Inc., provided a presentation including overview of building fees, adjustment history, current financial plan goals, revenues under existing

fees, proposed building fees, neighborhood communities' comparisons, projected carryforward cash balance, and requested action.

Commission questions took place regarding impact of allocated American Rescue Plan Act (ARPA) funds designated to the Wellen Park Service Center Building, economic adjustments, funding of the Wellen Park building software, annual review cost and process, public notification, and fee increase variations.

There was no public comment.

A motion was made by Commissioner Luke, seconded by Commissioner McDowell, to approve the recommendations from GovRates of an increase to the building fee rates to keep pace with operating expenses, fund major capital needs, and maintain healthy reserves, as well as the support of an annual review of fees by City staff to ensure that the fees remain equitable and reasonable.

Discussion took place regarding all and equitable fees.

The motion carried on the following vote:

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

E. [22-2792](#)

Discussion and Possible Action Regarding Historic and Cultural Advisory Board and Environmental Advisory Board Request for Joint Meeting Concerning the Designation of Pan American Boulevard to Little Salt Spring as a Historical Area.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

Commission questions and comments took place regarding prior Commission discussion, property ownership, process for historical designation, requested area for designation, conservation for environmental protection, and review during the Comprehensive Plan update.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Commissioner Luke, to direct the City Manager to send a memorandum to the Historic and Cultural Advisory Board and Environmental Advisory Board denying their request for a joint meeting and explaining the reasoning that the suggested properties are privately owned. The motion carried on the following vote:

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

F. [22-2793](#)

Discussion and Possible Action Regarding a Process for Use of Tree Fund Monies.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Commissioner Luke spoke to the item.

Commission questions and comments took place regarding workshop discussion, tracking of fund collection, fee adjustments, monthly reports, advisory board input, and uses and intent of the fund.

There was no public comment.

There was consensus to direct the City Manager to schedule a workshop regarding use of tree fund monies.

There was consensus to include input from the Environmental Advisory Board for discussion at the workshop.

G. [22-2796](#)

Discussion and Possible Action Regarding the Presentation of a Key to the City to Christine Zagrobelny, Owner, Olde World Restaurant at the City Commission Regular Meeting on June 2, 2022, Requested by Vice Mayor Barbara Langdon.

Mayor Emrich announced the item.

Mr. Fletcher introduced the item.

Vice Mayor Langdon spoke to the item.

Commission questions and comments took place regarding presentation to all owners, involvement with the City, and presentation of two keys.

A motion was made by Vice Mayor Langdon, seconded by Commissioner McDowell, to approve the presentation of two Keys to the City to John (in memoriam) and Christine Zagrobelny, and to Joseph and Teresa Skoczylas, owners of the Olde World Restaurant. The motion carried on the following vote:

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

PUBLIC COMMENT:

Peter Bartolotta: expressed support of the Presentation.

7. PUBLIC COMMENT:

Connie Bruni: expressed concern regarding Commission retreat

8. COMMISSION COMMUNICATIONS:

A. [22-2481](#)

Mayor Emrich's Report

Mayor Emrich reported on events attended.

B. [22-2482](#)

Vice Mayor Langdon's Report

Vice Mayor Langdon reported on meetings and events attended.

C. [22-2483](#)

Commissioner Luke's Report

Commissioner Luke reported on meetings and events attended.

D. [22-2484](#) Commissioner McDowell's Report

Commissioner McDowell reported on meetings and events attended.

E. [22-2485](#) Commissioner White's Report

Commissioner White reported on meetings and events attended.

9. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Fletcher had nothing to report.

Ms. Slayton had nothing to report.

Ms. Taylor had nothing to report.

10. ADJOURNMENT:

Mayor Emrich adjourned the meeting at 1:48 p.m.

City of North Port, Florida

By: _____
Pete Emrich, Mayor

Attest: _____
Heather Taylor, City Clerk

These minutes were approved on the ____ day of _____, 20__.