



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Special 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

Thursday, December 8, 2022

1:00 PM

CITY COMMISSION CHAMBERS

CALL TO ORDER

Mayor Langdon called the meeting to order at 1:00 p.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, Assistant City Clerk Adrian Jianelli, Recording Secretary Matthew Powell, Deputy Police Chief Chris Morales, Fire Chief Scott Titus, Parks and Recreation Director Sandy Pfundheller, and Assistant Utilities Director Jennifer Desrosiers.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Commissioner Phil Stokes.

1. APPROVAL OF AGENDA

A motion was made by Commissioner Emrich, seconded by Commissioner McDowell, to approve the Agenda as presented. The motion carried unanimously on a voice vote.

2. PUBLIC COMMENT:

Ms. Jianelli read the following public eComments into the record:

Olga Rudman: expressed concern over the preservation of Warm Mineral Springs (WMS).

Jasmine Bolman: expressed support for the opening of WMS.

Jill Luke: expressed support for the opening of WMS.

In-person public comments:

Valdy Olender: expressed concern for compliance with the City Charter.

Jeffery Scott: expressed concern for City and tax payer finances.

3. GENERAL BUSINESS:

A. [22-3796](#) Discussion and Possible Action Regarding Estimated Costs Associated with the Operational Restoration of the Warm Mineral Springs Park.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item and spoke to the proposed alternative plan.

Commission questions and discussion took place regarding tenting, fencing, power requirements, repairs, alternative plan costs and timeline, Americans with Disabilities Act (ADA) requirements, trailer costs, Public-Private Partnership (P3) funds, proposed plan timeline, vendor contract timeline, restrooms, scope of local state of emergency powers, National State Park concession, solicitation process timeline, budget, contract cancellation costs and timeline, tent costs, Request for Proposals (RFP) competitive solicitation process, temporary facility timeline, contract obligations and amendment requirements, Federal Emergency Management Agency (FEMA) assistance options, Hurricane Ian effects, building damages, safety requirements, responsibilities of vendor, purchasing process, and agreement status.

Ms. Slayton spoke to the contract process including necessary amendments, agreement flexibility, FEMA requirements, and timeline.

Commission questions and discussions continued regarding agreement, vendor selection, procurement process, expediting options, National State Park concession role, P3 role, City staff role, tent options, modular unit, alternative plan timeline, transition plan, and cost estimates.

Public comment:

Ms. Jianelli read the following public eComments into the record:

Sheryl Bowman: expressed support for the opening of WMS.

Gabriela Stef: expressed support for the opening of WMS.

In-person public comments:

Zhanna Yefimov: expressed support for the opening of WMS.

Eugene Livchin: expressed concern for the preservation of WMS.

James Strawser: expressed opposition to P3.

Abe Dobrusin: expressed concern for City spending.

Vlad Goro: expressed concern for the preservation of WMS.

Albina Savenok: expressed support for the opening of WMS.

Daniel Hanks: expressed support for the opening of WMS.

Jeffrey Scott: expressed concern for the preservation of WMS.

Inna Beruge: expressed support for the opening of WMS.

Bill Goetz: expressed concern for the preservation of WMS.

Elena Libo: expressed support for the opening of WMS.

Jack Bobo: expressed support for the opening of WMS.

Svetlana Strezeva: expressed support for the opening of WMS.

Klara Zysman: expressed support for the opening of WMS.

Vasia Ivan: expressed support for the opening of WMS.

Susan Gastony: expressed concern for the preservation of WMS.

Recess was taken from 2:51 p.m. to 3:01 p.m.

Commission questions and discussions took place regarding National State Park concession, power costs and timeline, plan options, P3, budget, tax payer finances, government processes, emergency operations, expediting timeline options, community safety and needs, and procurement process.

Mayor Langdon requested a motion.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to direct staff to give the National State Park concession a 90-day notice of termination on the contract between them and the City.

Public Comment:

Heidi Kublic: expressed support for the opening of WMS.

Ms. Slayton spoke to the motion.

Commissioner Stokes withdrew his second. The motion failed due to lack of a second.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to direct staff to give National State Park concessions a 90-day notice of termination of the contract of the Warm Mineral Springs Site Management Agreement between them and the City. The motion carried on the following vote:

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

No: 1 - Commissioner McDowell

Commissioner McDowell dissented due to concern over next steps.

A motion was made by Commission McDowell to instruct the City Manager to review the procurement process during emergency times and reopen Warm

Mineral Springs (WMS) as soon as possible and keep the Commission updated every two weeks. The motion failed due to lack of a second.

A motion was made by Commissioner Stokes, seconded by Commissioner Emrich, to direct the City Manager to move as expeditiously as possible to open Warm Mineral Springs.

Commission questions and discussion took place regarding procurement process, emergency powers, expediting processes, timeline updates, and trailer requirements.

The motion carried on the following vote:

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

A motion was made by Commissioner McDowell to instruct the City Manager to send a memo to the Commission every three weeks starting three weeks from today on the status of reopening with details. The motion failed due to lack of a second.

Mr. Fletcher spoke to the process for status updates.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to instruct the City Manager to report to the community, as well as the Commission, in a timely fashion on the progress to open Warm Mineral Springs. The motion carried on the following vote:

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

No: 1 - Vice Mayor White

Vice Mayor White dissented due to concern for the necessity of the motion.

Commission questions and discussions took place regarding status updates.

Mayor Langdon postponed Item No. 22-3799, to be addressed following the Commission Special Meeting at 4:00 p.m.

Recess was taken from 3:35 p.m. to 4:17 p.m.

B. [22-3799](#)

Discussion and Possible Direction Regarding Water and Wastewater Base Facilities Charges and Water Meter Abandonment Relative to Customers Impacted by Hurricane Ian.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Desrosiers provided a presentation including meter abandonment, discontinuance of service, line extension fees, base facility charges, bond covenants, discontinuance versus disconnection, assistance programs, recommended changes to code, and abandonment of service.

Commission questions and discussion took place regarding code verbiage, capacity fee, line extension fee, recommendations, meter abandonment, structure verbiage, meter removal requirements, timeline of payable fees, discontinuance of service verbiage and clarification, fee clarification, timeline of new services, other City code comparisons, and waiving of fees.

Ms. Slayton spoke to discontinuance of service verbiage and clarification.

Commission questions and discussion continued regarding fee reduction options, system balance, new buyers, meter removal, base facility charges, fee contracts, extension fee, reserve capacity, and revenue charges.

A motion was made by Vice Mayor White, seconded by Commissioner Emrich, to allow the property owner to delay payment of the base facility charges for a maximum of five years in times of emergency. The motion carried on the following vote:

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

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct staff to revise the title of Section 78-24(u) to be Abandonment of Service versus Discontinuance of Service. 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 took place regarding code clarification and verbiage.

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to direct staff to add the Line Extension Fee specifically to the Abandonment of Service for consistency in the Code to Section 78-24(u). 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 took place regarding emergency exceptions.

4. PUBLIC COMMENT:

There was no public comment.

5. ADJOURNMENT:

Mayor Langdon adjourned the meeting at 5:09 p.m.

City of North Port, Florida

By: _____
Barbara Langdon, Mayor

Attest: _____
Heather Faust, City Clerk

These minutes were approved on the ____ day of _____, 2022.