



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, July 9, 2024

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor White called the meeting to order at 6:00 p.m. and provided required notifications regarding conducting a hybrid meeting.

Commissioner Emrich stated he will be attending the hybrid meeting via Communications Media Technology (CMT) due to experiencing a medical condition.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to accept the use of CMT for a hybrid meeting. The motion carried on the following vote:

- Yes:** 4 - Commissioner Emrich, Mayor White, Vice Mayor Stokes and Commissioner Langdon
- No:** 1 - Commissioner McDowell

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 Fletcher, City Attorney Slayton, City Clerk Faust, Board Specialist Bodmer, Police Chief Garrison, Fire Chief Titus, Public Works Director Chuck Speake, Planner Brown, Planning and Zoning Manager Flores, Assistant Director of Public Works Wisner, Finance Director Williams, Deputy Communication Manager Ingalls, Communication Manager Bartolone, Deputy City Manager Yarborough, and Utilities Director Gallinaro

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Duval.

1. APPROVAL OF AGENDA

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

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

2. PUBLIC COMMENT:

In person public comment:

Robin San Vicente: spoke to referendum, tree fund, and current debt.

Mayor White spoke to former Commissioner Luke's mothers hospitalization.

3. ANNOUNCEMENTS

A. [24-0215](#) Announcement of 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.

4. CONSENT AGENDA:

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

There was no public comment.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to approve the items in the consent agenda as presented. The motion carried on the following vote:

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

A. [24-0774](#) Approve First Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II With Jon F. Swift, Inc. in the Amount of \$2,072,007, for Hurricane Ian Repairs at the Morgan Family Community Center.

This item was approved on the consent agenda.

B. [24-0889](#) Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift, Inc. in the Amount of \$611,883, for Hurricane Ian Repairs at the North Port Aquatic Center.

This item was approved on the consent agenda.

C. [24-0907](#) Approve Third Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift,

Inc. in the Amount of \$124,350, for Hurricane Ian Repairs at the Butler Park Kayak Launch.

This item was approved on the consent agenda.

- D. [24-0910](#) Approve Fourth Amendment to Construction Manager at Risk Contract No. 2023-17.004 for Construction Services Contract, Phase II with Jon F. Swift, Inc. in the Amount of \$124,077, for Hurricane Ian Repairs at the Blue Ridge Park Kayak Launch.

This item was approved on the consent agenda.

- E. [24-0813](#) Approve the Collective Bargaining Agreement Between the City of North Port and the Florida Police Benevolent Association - A Chapter of the Southwest Florida Police Benevolent Association (PBA), for the Period of October 1, 2024, - September 30, 2027.

This item was approved on the consent agenda.

- F. [24-0828](#) Approve the Award of Funds from the Special Event Assistance Program to North Port Young Professionals/North Port Area Chamber of Commerce in Support of the Back to School Bash to be Held on July 20, 2024, in an Amount up to, and Not to Exceed, \$1,000 to Cover the Costs of City Fees and Services.

This item was approved on the consent agenda.

- G. [24-0895](#) Approve the First Amendment to Contract No. 2023-34 with Jay's Fencing LLC., on an As-Needed Basis; and Approve the First Amendment to Work Assignment No. 1, for an Additional Amount of \$3,600.00, for a Total of \$91,998.00

This item was approved on the consent agenda.

- H. [24-0915](#) Accept the Cash Receipts Summary Report for May 2024.

This item was approved on the consent agenda.

- I. [24-0916](#) Approve the Second Amendment to Contract No. 2020-56 School Crossing Guard Services for Purposes of Increasing the Hourly Billing Rate from \$21.30 an Hour to \$28.30 an Hour.

This item was approved on the consent agenda.

- J. [24-0919](#) Approve the Medicare Ground Ambulance Data Collection System Reporting Service Agreement and Business Associate Agreement at Rider D Between Digitech Computer LLC and the City of North Port in the Amount of \$35,000.

This item was approved on the consent agenda.

- K. [24-0920](#) Approve First Amendment to Construction Manager at Risk Contract No. 2023-17.005 for Construction Services Contract Phase II with Willis A. Smith Construction, Inc., in the Amount of \$78,032.00, for Fire Station 86 and Police Substation Repairs.

This item was approved on the consent agenda.

- L. [24-0921](#) Approve Second Amendment to Construction Manager at Risk Contract No. 2023-17.005 for Construction Services Contract Phase II with Willis A. Smith Construction, Inc., in the Amount of \$21,247.00, for Fire Station 85 Repairs.

This item was approved on the consent agenda.

- M. [24-0927](#) Approve Third Amendment to Agreement No. 2020-03 for Financial Advisor Services with PFM Financial Advisors, LLC to Complete an Economic Development Study, Financial Condition Analysis, Economic Impact Analysis, and Long-Term Comprehensive Capital Improvement Plan for a Fee of \$210,000.

This item was approved on the consent agenda.

5. PUBLIC HEARINGS:

PETITIONS:

- A. [CC](#)
[PLF-24-054](#) Consideration of Petition PLF-24-054, a Final Plat for Sunstone Village F5 Phase 3 (aka Wellen Park West Villages)(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 Petition by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

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

Ms. Faust stated there were no aggrieved parties.

Tom Griggs, representing property owner, being duly sworn, provided a presentation including overview and requested approval.

Mr. Flores, being duly sworn, 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 were no rebuttals by the Applicant or Staff.

There was no public comment.

There were no Commission questions or discussion.

There were no closing arguments by Staff or the Applicant.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to approve the Petition for Sunstone Village F5 Phase 3 (aka Wellen Park West Villages) Petition No. PLF-24-054 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

**B. [CC](#)
[PLF-23-255](#)**

Consideration of Petition PLF-23-255, Tract B, Suncoast Plaza III, Replat and Renaming of Subdivision to SIG North Port. (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 Petition by title only and swore in those wishing to provide testimony.

Mayor White called for disclosure of ex-parte communications.

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

Ms. Faust stated there were no aggrieved parties.

Jack Brent, Sig Investment Group, being duly sworn, provided a presentation including overview, location, and requested approval.

Mr. Brown, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, Illustration of easement, 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 renaming of the subdivision, easement relocation, and Commissioner review.

Ms. Slayton spoke to the ULDC.

Commission questions and discussion continued regarding land development concerns.

There were no closing arguments by Staff or the Applicant.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the Petition for Tract B, Suncoast Plaza III, Replat and Renaming of Subdivision to SIG North Port. Petition No. PLF-23-255 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 - FIRST READING:

**A. ORD. NO.
2024-07**

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 5, 2024 General Election; Providing a Referendum Question Determining Whether to Amend the City Charter to Authorize the City Commission to issue Debt in Certain Circumstances Without Prior Voter Approval; Providing for the Full Text 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 Text 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 White announced the item and requested a motion to direct the City Clerk to read by title only.

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

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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Ms. Wisner provided a presentation regarding overview, meeting motions and status, debt services, and recommended action.

Commission questions and discussion took place regarding referendum language, charter language, assurance of debt, ballot language, and simplify ordinance language.

There was consensus to direct the City Attorney to work with bond counsel to provide clarity regarding principal indebtedness and obligation meaning and purpose.

Commission questions and discussion continued regarding indebtedness and obligation, community education, QR code, fact sheet, community engagement events, community outreach, Charter Review Advisory Board's recommendation, quorum issues, Engineering News Record (ENR) increase, industry standard, borrowing cap, Consumer Price Index (CPI), emergency response, approval via emergency ordinance language and project phasing language, general obligation debt language, regulatory agency requirements, City Manager ability to take out debt, usage of property tax money, regulatory agent

requirements, deteriorating utilities, debt policy adoption, borrowing authority, typo in Section 6.01, and what is a safety issue of public health.

Ms. Faust read the following eComments into the record:

Stephanie Gibson: Expressed opposition to the item.

Willie Braswell: Expressed opposition to the item.

In person public comment:

David Duval: Spoke to various concerns with the item.

Josh Smith: Spoke to various concerns with the item.

Pam Tokarz: Spoke to various concerns with the item.

Robin San Vicente: Spoke to various concerns with the item.

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to remove all references to "ENR" in the Ordinance.

Commission questions and discussion continued regarding cost of living adjustment, borrowing increases, and charter amendment.

The motion failed on the following vote:

Yes: 1 - Commissioner McDowell

No: 4 - Commissioner Emrich, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Commission questions and discussion continued regarding implied language.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to add language within the Ordinance, prior to second reading, stating that general obligation debt will go to voters.

Commission questions and discussion continued regarding current proposed language, and language to add and location within the ordinance.

The motion carried on the following vote:

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

No: 1 - Commissioner Langdon

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to continue Ordinance No. 2024-07 to second reading on July 23, 2024, including the motions as approved. The motion carried on the following vote:

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

Recess was taken from 8:35 p.m. until 8:45 p.m.

RESOLUTIONS:

A. [RES. NO. 2024-R-27](#)

A Resolution of the City Commission of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2023-2024 for Kayak Launch Repairs and Utilities

Administration and Field Operations Building in the Amount of \$13,195,681; Providing for Findings; Providing for Posting; 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 proposed budget.

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. 2024-R-27 as presented. The motion carried on the following vote:

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

B. [RES. NO. 2024-R-32](#)

A Resolution of the City Commission of the City of North Port, Florida, Accepting the Transfer of Water and Wastewater Infrastructure and Improvements and Associated Warranties in Brightmore at Wellen Park Phases 1A-1C,2A, and 3; Providing for Incorporation of Recitals; Providing for Filing of Documents; 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. 2024-R-32 as presented. The motion carried on the following vote:

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

C. [RES. NO. 2024-R-33](#)

A Resolution of the City Commission of the City of North Port, Florida, Accepting the Transfer of Water and Wastewater Infrastructure and Improvements and Associated Warranties in Sunstone Village F5, Phase 2; Providing for Incorporation of Recitals; Providing for Filing of Documents; 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 McDowell, to adopt Resolution No. 2024-R-33 as presented. The motion carried on the following vote:

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

6. PUBLIC COMMENT:

In person public comment:

Robin San Vicente: Spoke to mosquito management.

Josh Smith: Spoke to fiscal responsibility.

Pam Tokarz: Spoke to viewership.

7. COMMISSION COMMUNICATIONS:

A. [24-0262](#) Commissioner McDowell's Communications

Commissioner McDowell did not provide a report.

B. [24-0294](#) Commissioner Emrich's Communications

Commissioner Emrich did not provide a report.

C. [24-0313](#) Mayor White's Communications

Mayor White reported on important topics and events attended.

D. [24-0992](#) Vice Mayor Stokes' Communications

Vice Mayor Stokes reported on important topics and events attended.

E. [24-0993](#) Commissioner Langdon's Communications

Commissioner Langdon reported on important topics and events attended.

8. ADMINISTRATIVE AND LEGAL REPORTS:

Mr. Fletcher did not provide a report.

Ms. Slayton did not provide a report.

Ms. Faust did not provide a report.

9. ADJOURNMENT:

Mayor White adjourned the meeting at 9:06 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk