

City Commission Regular Meeting

CALL TO ORDER

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

ROLL CALL

City Manager Fletcher, Interim City Attorney Golen, City Clerk Faust, Police Captain Gregory, Fire Chief Titus, Planner I Brown, Planner III Willette-Grondin, Public Works Director Speake, Parks and Recreation Director Pfundheller, Development Services Director Ray, Legislative Analyst Miles, Grant Manager Malingowski,

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Development Services Director Alaina Ray.

1. APPROVAL OF AGENDA

Mayor Stokes requested a motion to approve the agenda.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to approve the agenda as presented. The motion carried on the following vote: all yes

2. PUBLIC COMMENT:

Ms. Faust read the following eComment into the record:

Joshua Smith: Expressed concern with Police Headquarters and Special Election.

Robin SanVicente: Expressed concern with advisory board participation in infrastructure projects.

In Person:

Jono Miller: Spoke to Item 24-1688.

3. CONSENT AGENDA:

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

There was no public comment.

Mayor Stokes requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to approve the items in the consent agenda with the exception of Item No. 24-1616 being pulled for discussion. The motion carried on the following vote: all yes

A. 24-1484 Approval of Cellular Tower Construction, Tower Lease Agreement and Land Lease Agreement Between City of North Port and 1 Source Towers II, LLC Related to Property Located at 11820 Manasota Beach Road.

This item was approved on the consent agenda.

B. 24-1616 Approve the Memorandum of Understanding Between the Federal Bureau of Investigation, Lee County Sheriff's Office, and Participating Agencies Designed to Monitor and Mitigate Threats Against Schools

and the Community.

Mayor Stokes announced the item.

Mr. Fletcher introduced the item and noted removal of the item from the agenda.

There was no public comment.

No action was taken on this item.

- C. 24-1620** Approve the Acceptance of The Harry Shapiro Charitable Foundation Grant in the Amount of \$25,000 for Items Purchased at the Discretion of the Chief of Police and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review.

This item was approved on the consent agenda.

- D. 24-1625** Approve the Settlement Agreement and Release Between Victor Ramos and the City of North Port.

This item was approved on the consent agenda.

- E. 24-1654** Approve the Tenth Amendment to Construction Manager at Risk Contract No. 2023-17.001 for Construction Services Contract, Phase II With Wharton Smith, Inc. in the Amount of \$32,699, for Hurricane Ian Repairs at the Garden of the Five Senses.

This item was approved on the consent agenda.

- F. 24-1680** Approve the November 26, 2024 Commission Regular Meeting Minutes, December 3, 2024 Commission Workshop Meeting Minutes, December 4, 2024 Commission Workshop Minutes, December 9, 2024 Commission Special Meeting Minutes, December 10, 2024 Commission Regular Meeting Minutes

This item was approved on the consent agenda.

- G. 24-1689** Approve and Execute the Statement of Support for Legislative Funding of the Peace River Manasota Regional Water Supply Authority Surface Water Expansion Project and Transmission System Expansion Project.

This item was approved on the consent agenda.

- H. 25-1718** Approve and Authorize the City Manager to Execute the Wastewater System Developer's Agreement Between the City of North Port, Florida, and the Lighthouse Baptist Church of North Port, Florida, Inc.

This item was approved on the consent agenda.

- I. 25-1750** Approve the Traffic Enforcement Agreement with Renaissance at West Villages Homeowners Association, Inc. for Traffic Enforcement Services.

This item was approved on the consent agenda.

- J. 25-1754 Approve the Acceptance of the Community Grant From the Walmart Foundation in the Amount of \$4,000 to be Used for Shop With a Cop and Home for the Holidays Programs.

This item was approved on the consent agenda.

- K. 25-1755 Approve the Federal Bureau of Investigation (FBI) National Vehicle Lease, Vehicle Use Agreement - Non-FBI Task Force Officer at no Cost to the City of North Port.

This item was approved on the consent agenda.

- L. 25-1771 Approve Submitter Merchant Payment Processing Instructions and Guidelines between Paymentech, LLC, JPMorgan Chase Bank and City of North Port, a Supplemental Document to First Amendment to the Software as a Service Agreement Between Tyler Technologies Inc., and City of North Port.

This item was approved on the consent agenda.

4. PUBLIC HEARINGS:

RESOLUTIONS:

- A. RES. NO. 2024-R-39 A Resolution of the City Commission of the City of North Port, Florida, Vacating Public Utility and Public Drainage Easements for Lots 1 and 2, North Port Gateway West Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing and Effective Date. (QUASI-JUDICIAL).

Mayor Stokes 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 Resolution by title only and swore in those wishing to provide testimony:

Mayor Stokes called for disclosure of ex-parte communications.

Commissioner Petrow disclosed an agenda briefing and no other commissioners disclosed ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Julie Daniel and Michael Booker, Benderson Development, being duly sworn, provided a presentation including property appraiser information, easements not properly created, applications forthcoming, and development.

Mr. Brown, being duly sworn, provided a presentation including overview, background, review process, compliance with Florida Statutes and Unified Land Development Code (ULDC), and staff recommendations.

There were no rebuttals by the applicant or staff.

There was no public comment.

There was no Commission questions or discussion.

There were no closing arguments by staff or the applicant.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Duval, to adopt Resolution No. 2024-R-39, as presented. The motion carried on the following vote: all yes

**B. RES. NO.
2025-R-12**

A Resolution of the City Commission of the City of North Port, Florida, Terminating Portions of Utility and Drainage Grants of Easements in Sections 28, 29, 32, and 33, Township 39 South, Range 21 East Located in Sarasota County Florida; Providing for Incorporation of Recitals; Providing for Partial Termination and Release of Easements; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Stokes 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 was no public comment.

Commission questions and discussion took place regarding purpose of termination, upcoming replat for Central Parc, and impact on commercially zoned parcels.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to adopt Resolution No. 2025-R-12, as presented. The motion carried on the following vote: all yes

PETITIONS:

C. CC Consideration of Petition PLF-24-044, North Port Commercial, a Replat
PLF-24-044 of North Port Gateway West (QUASI-JUDICIAL).

Mayor Stokes announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read the petition title and swear in those wishing to provide testimony.

Ms. Faust read the petition title and swore in those wishing to provide testimony.

Mayor Stokes called for disclosure of ex-parte communications.

Commissioner Petrow disclosed an agenda briefing and no other commissioners disclosed ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Julie Daniel and Michael Booker, Benderson Development, being duly sworn, provided a presentation including overview, original recording, and request for lot realignment.

Mr. Brown, being duly sworn, provided a presentation including overview, background, illustration of existing and final plat, compliance with Florida Statutes, and staff recommendation.

There were no rebuttals by the applicant or staff.

There was no public comment.

Commission questions and discussion took place regarding stormwater impacts,

There were no closing arguments by staff or the applicant.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner Duval, to approve the North Port Commercial, a Replat of North Port Gateway West, Petition No. PLF-24-044, 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: all yes

D. **CC** Consideration of Petition PLF-24-145, Central Parc at North Port Phase
 PLF-24-145 2, Final Plat (Quasi-Judicial).

Mayor Stokes announced the item, stated this is a quasi-judicial hearing, and called on the City Clerk to read the petition title and swear in those wishing to provide testimony.

Ms. Faust read the petition title and swore in those wishing to provide testimony.

Mayor Stokes called for disclosure of ex-parte communications.

Commissioner Petrow disclosed an agenda briefing and no other commissioners disclosed ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Peter Van Buskirk and Charlie Bailey, Kimley-Horn, being duly sworn, provided a presentation including overview, number of lots, open space tracts, compliance, review by City staff, and request for approval.

Ms. Willette-Grondin, being duly sworn, provided a presentation including overview, background, proposed final plat location, compliance with Florida Statutes and Unified Land Development Code (ULDC), review, and staff recommendation.

There were no rebuttals by the applicant or staff.

There was no public comment.

There were no Commission questions or discussion.

Commissioner Duval noted a family relative to the applicant and that he will be able to be fair and impartial.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to approve the Central Parc at North Port Phase 2, Final Plat Petition No. PLF-24-145, 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: all yes

ORDINANCE - First Readings:

- E. ORD. NO. 2025-01** An Ordinance of the City of North Port, Florida, Amending the Non-District Budget and Capital Improvement Budget for Fiscal Year 2024-2025 for Hurricane Ian Repairs and Additional Costs to Park Impact Fee Projects P21VET Circle of Honor; P17EPI Environmental Park Improvements; and P24LTC Legacy Trail Connection to Warm Mineral Springs in the Amount of \$3,171,180; Providing for Findings; Providing for Posting; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding charging for parking, prior Commission direction, Legacy Trail Connector timing, and Circle of Honor details.

There was no public comment.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Commissioner Duval, seconded by Vice Mayor Emrich, to continue Ordinance No. 2025-01 to second reading on January 28, 2025. The motion carried on the following vote: all yes

- F. ORD. NO. 2025-02** An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 74-151 to Designate Additional City Roadways for the Operation of a Golf Cart; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

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

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

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding (listen)

Public Comment:

Ms. Faust read the following eComment into the record:

Robin SanVicente: Spoke to additional language and areas to be designated.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to continue Ordinance No. 2025-02 to second reading on January 28, 2025. The motion carried on the following vote: all yes

RESOLUTIONS - Continued:

**G. RES. NO.
2024-R-54**

A Resolution of the City Commission of the City of North Port, Florida, Transferring Real Property Located on Grenard Circle and Described as Lot 5, Block 2118, 45th Addition to Port Charlotte Subdivision, Sarasota County Property Appraiser Parcel Identification Number 1149211805, to the North Port Road and Drainage District; Incorporating Recitals; Providing for Filing of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Stokes 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 Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to adopt Resolution No. 2025-R-54 as presented. The motion carried on the following vote: all yes

**H. RES. NO.
2025-R-01**

A Resolution of the City Commission of the City of North Port, Florida, Vacating the Rear Drainage Easements for Lot 13, Block 1345, 26th Addition to Port Charlotte Subdivision; Providing for Findings; Providing for Recording; Providing for Conflicts; Providing for Severability; and Providing an Effective Date. (QUASI-JUDICIAL).

Mayor Stokes 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 Resolution by title only and swore in those wishing to provide testimony:

Mayor Stokes called for disclosure of ex-parte communications.

Commissioners disclosed no ex-parte communication.

Ms. Faust stated there were no aggrieved parties.

Mr. Brown, being duly sworn, provided a presentation including overview, background, review process, compliance with Florida Statutes and Unified Land Development Code (ULDC), and staff recommendation.

There was no public comment.

Commission questions and discussion took place regarding rear property owner, timing prior to construction, and old versus new ULDC process.

There were no closing arguments by staff.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Duval, to adopt Resolution No. 2025-R-01, as presented. The motion carried on the following vote: all yes

I. RES. NO. 2025-R-05 A Resolution of the City Commission of the City of North Port, Florida, Repealing Resolution No. 2018-R-17 and Adopting Special Event Assistance Program Guidelines; Providing for Incorporation of Recitals; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Stokes 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 Stokes closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to adopt Resolution No. 2025-R-05 as presented. The motion carried on the following vote: all yes

J. RES. NO. 2025-R-06 A Resolution of the City Commission of the City of North Port, Florida, Approving, Solely for the Limited Purposes of Section 147(F) of the Internal Revenue Code and Section 163.01, Florida Statutes, the Issuance by the Capital Trust Authority of its Multifamily Housing Revenue Bonds (The Waters at North Port Project), in One or More Series of Tax-Exempt Qualified 501(C)(3) Bonds or Taxable Bonds, Pursuant to a Plan of Finance, in an Aggregate Principal Amount Not to Exceed \$75,000,000 for the Purpose of Financing or Refinancing the Facilities Herein Described; Approving a Conflict Waiver Request Submitted by Bryant Miller Olive P.A.; Providing Certain Other Matters in Connection with the Bonds; Providing for Findings; Providing for Conflicts; Providing for Severability, and Providing an Effective Date.

Mayor Stokes 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 financial implications.

There was no public comment.

Mayor Stokes closed the public hearing and requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Duval, to adopt Resolution No. 2025-R-06 as presented. The motion carried on the following vote: all yes

Recess was taken from 11:13 a.m. until 11:22 a.m.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to reorder the agenda to hear Item No. 25-1760 at this time. The motion carried on the following vote: all yes

5. GENERAL BUSINESS:

B. 25-1760 Discussion and Possible Action Regarding Potential Development and Implementation of an Unimproved Lot Registration Program.

Mayor Stokes announced the item.

Mr. Fletcher introduced the item.

Ms. Ray provided a presentation including overview of program, addressed issues, impinging growth, hazardous trees, fee options, exemptions, use of funds, benefits, strategic pillars, and direction/next steps.

Commission questions and discussion took place regarding funding of abatement, impinging growth/hazardous tree calls per week, fire risk mitigation, property owner notification of abatement, inspection for invasive growth, outsourcing, property owner taxes, process for tax deed sales, use of funds, cost of plan implementation, salary funding, city-wide benefits, and holding a workshop.

Public Comment:

Ms. Faust read the following eComment into the record:
Robin San Vicente: Expressed support of the item.

In Person:

Al Piecuch: Expressed concern with trash dumping and cost increase.

Mayor Stokes requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to direct the City Manager to move forward with the development of the program for areas of possible agreement including \$100 per year fee to address dangerous trees, allowing for exemptions as proposed and including for maintained lots, to implement the program through non ad valorem assessment and to further articulate what the invasive growth fire risk will look like and to also bring back thoughts on collection of excess funds and addressing dangerous tree aspect. The motion carried on the following vote with Commissioner Duval dissenting.

Discussion took place regarding next steps and whether clarification would require a revote.

The motion carried by revote on the following vote with Commissioner Duval dissenting due to belief that tax should be on all properties due to benefit to those who do not have a vacant lot.

Recess was taken from 12:54 p.m. until 1:30 p.m.

- A. 24-1688** Discussion and Possible Action to Approve the Prioritized List of Project Funding Applications Through the Sarasota-Manatee Metropolitan Planning Organization.

Mayor Stokes announced the item.

Mr. Fletcher introduced the item.

Ms. Malingowski spoke to the item including projects, prioritization, and staff request to endorse the projects in the order of Warm Mineral Springs (WMS) park connector, Price Widening Phase 2A, I75 Interchange at Yorkshire/Raintree, extension of Toledo Blade, and extension of Price Boulevard.

Commission questions and discussion took place regarding prioritization.

Public Comment:

Ms. Faust read the following eComment into the record:
Robin SanVicente: Spoke to various funding applications.

Mayor Stokes requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to approve the prioritized list of project funding applications through the Sarasota-Manatee Metropolitan Planning Organization (MPO). The motion carried on the following vote: all yes

- C. 25-1809** Discussion and Possible Action Regarding Referendum Questions Related to Borrowing Authority for Infrastructure Projects and the North Port Police Department Headquarters Project for the May 13, 2025, Special Election.

Mayor Stokes announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding police headquarters project cost, infrastructure projects, inflation costs,

Public Comment:

Ms. Faust read the following eComment into the record:
Debbie McDowell: Spoke to project prioritization and funding.
Robin SanVicente: Spoke to project prioritization and support of police headquarters.

Mayor Stokes requested a motion.

A motion was made by Vice Mayor Emrich, seconded by Commissioner Langdon, to direct staff to bring back Ordinances establishing referendum questions related to borrowing authority for infrastructure projects and the North Port Police Department Headquarters for first reading on January 28, 2025. The motion carried on the following vote: all yes

6. PUBLIC COMMENT:

There was no public comment.

7. COMMISSION COMMUNICATIONS:

Mayor Stokes called on Commissioners for communications.

A. 25-1804 Mayor Stokes' Communications

Mayor Stokes reported on events attended.

B. 25-1805 Vice Mayor Emrich's Communications

Vice Mayor Emrich reported on upcoming events.

C. 25-1807 Commissioner Duval's Communications

Commissioner Duval reported on events attended.

D. 25-1806 Commissioner Langdon's Communications

Commissioner Langdon reported on upcoming events.

E. 25-1808 Commissioner Petrow's Communications

Commissioner Petrow reported on upcoming events.

8. ADMINISTRATIVE AND LEGAL REPORTS:

Mayor Stokes called on Charter Officers for reports.

Mr. Fletcher did not have a report.

Mr. Golen did not have a report.

Ms. Faust reminded Commissioners to provide updates on attended meetings.

9. ADJOURNMENT:

Mayor Stokes adjourned the meeting at 157.