



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, June 11, 2024

10:00 AM

City Commission Chambers

CALL TO ORDER

Mayor White called the meeting to order at 10:00 a.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 Vice Mayor Stokes, seconded by Commissioner Langdon, 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, Police Commander Sineath, Fire Chief Titus, Assistant Finance Director Kukharenko, Deputy City Manager Yarborough, Director of Development Services Ray, Assistant Director of Development Services Barnes, Finance Director Williams, Board Specialist Bodmer, Assistant City Attorney Golen, Assistant Public Works Director Wisner, and Planner Willette-Grondin

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by David Devual.

1. APPROVAL OF AGENDA

Mayor White requested a motion.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, 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:

Ms. Faust read the following eComments into the record:

David Iannotti: Expressed opposition of the Spring Haven Road expansion.

In person public comment:

Chuck English: Spoke to Myakkahatchee Creek Access project.

Robin San Vicente: Spoke to mosquito management and department coordination.

3. ANNOUNCEMENTS

A. [24-0213](#) 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.

Public comment:

Robin San Vicente: Spoke to advisory board and committee vacancies.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve the consent agenda with the exception of Item Nos. 24-0666 and 24-0667 being pulled for discussion. The motion carried on the following vote:

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

A. [24-0666](#) Approve the Interlocal Agreement Regarding Distribution Formula for Allocation of Revenue From Local Option Fuel Tax Levied Pursuant to Section 336.025(1)(b), Florida Statutes, Among Sarasota County and Municipalities Within Sarasota County for the 5-Cent Local Option Gas Tax.

Mayor White announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

In person public comment:

Robin San Vicente: Spoke to items not belonging on consent agenda.

Mayor White called for a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve Item No. 24-0666 as amended changing the date from 2022 to 2023 population estimates. The motion carried on the following vote:

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

- B.** [24-0667](#) Approve the Interlocal Agreement Regarding Distribution Formula for Allocation of Revenue From Local Option Fuel Tax Levied Pursuant to Section 336.025(1)(a), Florida Statutes, Among Sarasota County and Municipalities Within Sarasota County for the 6-Cent Local Option Gas Tax.

Mayor announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

There was no public comment.

Mayor White called for a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve Item No. 24-0667 as amended changing the date from 2022 to 2023 population estimates. The motion carried on the following vote:

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

- C.** [24-0762](#) Approve the Application to the U.S. Department of Justice Office of Community Oriented Policing Services Fiscal Year 2024 Law Enforcement Mental Health and Wellness Act (LEMHWA) Implementation Projects in the Amount of \$200,000, and Authorize the City Manager or the Mayor, as Applicable Under the City Charter, to Execute all Funding Documents After Legal Review, Should the Grant be Awarded to the City.

This item was approved on the consent agenda.

- D.** [24-0764](#) Approve the Agreement Between Imagine School at North Port, Inc. and City of North Port for the School Resource Officer Program, in the Total Amount of \$178,340.00.

This item was approved on the consent agenda.

- E.** [24-0768](#) Accept the Cash Receipts Summary Report for April 2024.

This item was approved on the consent agenda.

- F. [24-0776](#) Approve the Third Amendment to Agreement No. 2021-17 Professional Architectural and Engineering Services in the Amount of \$3,894,938.00 for City of North Port Police Department Facilities to Expand the Scope of Service of Schenkel & Shultz, Inc. ("Consultant") to Phase III - Design Development and Phase IV - Construction Documents for the New Police Headquarters for a Total Consultant Fee of \$5,350,768.00.
- This item was approved on the consent agenda.*
- G. [24-0787](#) Approve the First Amendment to Contract No. 2023-07, Construction Manager at Risk Preconstruction Services Contract, Phase I, with Wharton Smith, Inc. for the Fire Station 81 Remodel, Increasing the Agreement Fees by \$125,315.83 for a New Total Amount of \$167,655.92.
- This item was approved on the consent agenda.*
- H. [24-0788](#) Approve the First Amendment to Contract No. 2020-11 Professional Engineering and Architectural Services for Design of Fire Rescue Station 81 and Temporary Facilities with Schenkel Schultz, Inc. Increasing the Agreement Fees by \$911,808.00 for a New Total Amount of \$1,277,638.00.
- This item was approved on the consent agenda.*
- I. [24-0793](#) Approve the May 6, 2024 Commission Workshop Meeting Minutes
- This item was approved on the consent agenda.*
- J. [24-0801](#) Approve the Appointment of Chris Sterner as a Regular Member of the Historic & Cultural Advisory Board, to Serve a Term From June 11, 2024, to June 11, 2029.
- This item was approved on the consent agenda.*
- K. [24-0803](#) Approve the Appointment of William Stearns as a Regular Member of the Historic & Cultural Advisory Board, to Serve a Term From June 11, 2024, to June 11, 2029.
- This item was approved on the consent agenda.*
- L. [24-0806](#) Approve the Appointment of Ann Marie San Antonio as a Regular Member of the Art Advisory Board, to Serve a Term From June 11, 2024, to June 11, 2027.
- This item was approved on the consent agenda.*
- M. [24-0824](#) Approve the Appointment of Harry Klinkhamer as a Regular Member of the Historic & Cultural Advisory Board, to Serve a Term From June 11, 2024, to June 11, 2029.
- This item was approved on the consent agenda.*

- N. [24-0825](#) Approve the Appointment of Barry Godin as a Regular Member of the Historic & Cultural Advisory Board, to Serve a Term From June 11, 2024, to June 11, 2029.

This item was approved on the consent agenda.

5. PUBLIC HEARINGS:

PETITIONS:

- A. [CC](#)
[PLF-23-185](#) Consideration of Petition PLF-23-185, Replat of Tract F, Second Addition to North Port Charlotte Estates, Kamsler Acres (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, and Commissioner Emrich disclosed no ex-parte communications.

Mayor White disclosed meeting with Mr. Boone on January 25, 2023.

Ms. Faust stated there were no aggrieved parties.

Tim Roane, P.E, RWA Inc., being duly sworn, provided a presentation including overview, location, plat, City Staff review, compliance with Unified Land Development Code (ULDC) and Florida Statutes, and requested approval.

Ms. Willette-Grondin being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, zoning, total area, compliance with Unified Land Development Code (ULDC) and Florida Statutes, staff analysis, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding agricultural use.

Jackson Boone, Boone Law Firm, being duly sworn, spoke to operation and purpose of sub-dividing.

Commission questions and discussion continued regarding utility connections, special mitigation, enhanced septic, development requirements, flood zone, vegetation, and future development.

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 Vice Mayor Stokes, seconded by Commissioner Langdon, to approve Replat of Tract F, Second Addition to North Port Charlotte Estates, Kamsler Acres Petition No. PLF-23-185 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 23-256](#)

Consideration of Petition PLF-23-256, Sunstone Village F3, Wellen Park, Final Plat (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/Resolution/Ordinance 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.

Chris Fisher, P.L., Clearview Land Design, being duly sworn, provided a presentation including overview, location, lot size, compliance with Florida Statutes, 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 were no Commission questions or discussion.

There were no closing arguments by Staff or the Applicant.

A motion was made by Vice Mayor Stokes, Seconded by Commissioner Langdon, to approve Sunstone Village F3, Wellen Park, Final Plat Petition No. PLF-23-256 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

RESOLUTIONS:

A. [RES. NO. 2024-R-20](#)

A Resolution of the City Commission of the City of North Port, Florida, Accepting a Non-Exclusive Access and Utility Easement on Portions of Property Lying in Sections 12 & 13, Township 39 South, Range 21 East,

Sarasota County Florida, and Bearing Sarasota County Property Appraiser Parcel Identification Numbers 0960130510, 0960130515 and 0961140480; 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.

There was a motion made by Commissioner Langdon, Seconded by Commissioner McDowell, to adopt Resolution No. 2024-R-20 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-22](#)

A Resolution of the City Commission of the City of North Port, Florida, Renaming Activity Centers 1, 4, 5, 6, 7, and 8 and Confirming the Use of Existing Names of Activity Centers 2, 3, and 9 for Marketing Purposes; Providing for Incorporation of Recitals; 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 Unified Land Development Code rewrite.

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-22 as presented. The motion carried on the following vote:

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

6. GENERAL BUSINESS:

A. [24-0687](#)

Discussion and Possible Action Regarding the Spring Haven Roadway Expansion Project.

Mayor White announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding prior Commission direction, concern with impact on wildlife, conservation easement, prior survey, conserving right-of-way, purchasing SKS Properties for placement on environmentally sensitive land, developer requirements, and property maps.

Ms Faust read to the following eComment into the record:

Marius Boletta: Expressed opposition to the item.

Jasmine Bowman: Expressed opposition to the item.

Donald Rivette: Expressed opposition to the item.

David Iannotti: Expressed opposition to the item.

Juno Enoch: Expressed opposition to the item.

In person public comment:

Chuck English: Expressed opposition to the item.

Robin San Vicente: Expressed opposition to the item.

Bill Goetz: Expressed opposition to the item.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to direct Staff to bring back a plan to create a conservation easement on the property. The motion carried on the following vote:

Commission discussion continued regarding other properties.

A motion to amend was made by Commissioner McDowell, seconded by Commissioner Langdon, to include "and to instruct the City Manager to explore the opportunities for inclusion of School Board property in the conservation easement discussion." The motion to amend carried on the following vote:

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

The motion as amended carried on the following vote:

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

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to direct the City Manager to work with Sarasota County to explore options to purchase privately-owned properties along the Spring Haven/Myakkahatchee Creek Corridor using the Environmentally Sensitive Lands Program/Funds.

Commission discussion took place regarding importance of preserving land, pursuing on behalf of property owners, prior land purchase, value of staff time, adopting a resolution, and land swaps.

The motion carried on the following vote:

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

A motion was made by Commissioner Emrich, seconded by Commissioner Langdon, to direct the City Manager to include discussion on possible land swaps for properties.

Commission discussion took place regarding discussing land swaps after discussion regarding use of Environmentally Sensitive Land funds, other uses for land swaps, and importance of preserving the corridor.

The motion failed on the following vote: Vice Mayor Stokes, Commissioner Langdon, Mayor White dissented.

Yes: 2 - Commissioner Emrich and Commissioner McDowell

No: 3 - Mayor White, Vice Mayor Stokes and Commissioner Langdon

B. [24-0790](#)

Discussion and Possible Action Regarding Temporary Code Enforcement Policy for Non-Commercial Signs in the City's Public Rights of Way (Requested by Vice Mayor Stokes).

Mayor White announced the item.

Mr. Fletcher introduced the item.

Vice Mayor Stokes spoke to language and non commercial signage in the right-of-way.

Commission questions and discussion took place regarding nonprofits, separating commercial from non-commercial, churches, timeline, sign ordinance, separate policy, prior direction, lawsuits, easy lift for special events, Unified Land Development Code impact, code enforcement, prioritize ULDC, amount of work on Staff, permits, legal recommendation, billboards, private property signs, unintended consequences, and policy implementation.

In person public comment:

Josh Smith: Expressed support of the item.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Emrich, to approve the temporary Code Enforcement Policy directing the Code Enforcement Division to not remove non-commercial signage located in the City's public rights-of-ways to remain in effect until new regulations regarding signs located in the City's public rights of way are adopted by the City Commission.

Commission discussion took place regarding determination of commercial versus non-commercial.

The motion failed on the following vote: McDowell dissented due to unintended consequences.

Ms. Ray responded to questions regarding sign code ordinance.

Recess was taken from 12:14 p.m. until 12:44 p.m.

C. [24-0809](#)

Discussion and Possible Action Regarding Appointing a Commissioner to Sit on the Florida League of Cities Legislative Policy Committees and the Legislative Advocacy Committee.

Mayor White announced the item.

Ms. Faust introduced the item.

Commission questions and discussion took place regarding maintaining current appointments, potential and options.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve the continued appointments of the current Commissioners appointed to the Florida Legislative Policy Committee. the motion carried on the following vote:

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

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, To direct city clerk to bring back Legislative Advocacy Committee and Florida League of Cities Legislative Policy Committees appointments at a November meeting. The motion carried on the following vote:

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

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to appoint Vice Mayor Stokes as the voting delegate for the 2024 Florida League of Cities meeting. The motion carried on the following vote:

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

D. [24-0820](#)

Discussion and Possible Action Regarding Charter Amendment Language Related to the City's Bonding Authority

Mayor White announced the item.

Mr. Fletcher introduced the item.

Ms. Wisner provided a presentation on past Commission direction, ability to borrow money, referendums, State Statue regarding revenue bonds, disadvantages, proposed Charter amendment language, administrative management of debt, community input, draft proposed ballot language, and Commission direction.

Commission questions and discussion took place regarding spread costs, pay as you go city, taxes, public input, declared emergency's, concern with limiting the amount we can borrow, Warm Mineral Springs, draft debt policy timeline, debt policy approval by ordinance or resolution, economic growth, stakeholders, revenue source, debt payments, prior direction, deadlines, residence burden, service bond, Commission approval of use of fund balance, revenue bond requirements, back-up plan, fiscal management, Police Headquarters, Capital Improvement Projects review for bonding, community comparisons, past road bond, bond counsel, government trust, borrowing estimates, milage rate, and inflation.

In person public comment:

Josh Smith: Expressed support of the item.

Robin San Vicente: Expressed support of the item.

David Duval: Spoke to issues being present before Hurricane Ian.

Mr. Fletcher spoke to Hurricane Ian's reserve funds.

Mayor White requested a motion.

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to direct the City Manager to bring back refined language for the Charter amendment with additional definition, and the input from Personal Finance Manager (PFM) and bond counsel.

Ms. Slayton spoke to process with first reading of ordinance and referendum language restrictions.

Commission discussion and questions continued regarding referendum language.

The motion failed on the following vote:

No: 5 - Commissioner Emrich, Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

A motion was made by Vice Mayor Stokes, seconded by Commissioner Langdon, to direct the City Manager to bring back ordinance and charter amendment language for review.

Ms. Slayton spoke to draft direction involving debt cap.

A motion to amend was made by Commissioner Langdon, seconded by Vice Mayor Stokes to add "first reading". The motion to amend carried on the following vote:

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

The main motion as amended carried on the following vote:

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

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to direct the City Manager bring back an opinion from PFM and bond counsel in regards to recommendation of borrowing cap to be included in the referendum.

Mr. Golen spoke to discussion with Bond Counsel.

Commission discussion and questions regarding purpose of motion, professional advice, past counsel advice, and community comparisons.

A motion to amend was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to replace "opinion" with "input" and add "at first reading". The motion to amend carried n the following vote:

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

The main motion as amended carried on the following vote:

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

A motion was made by Vice Mayor Stokes, seconded by Commissioner McDowell, to direct the City Manager to bring back draft debt management policy prior to first reading of the charter referendum ordinance.

Commission discussion and questions regarding debt management policy, debt limit, extend deadline, and public input.

The motion carried on the following vote:

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

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to direct the City Manager to remove the reference to a borrowing limit within the referendum wording.

Commission discussion and questions regarding cap, current and future residents, work-arounds, and dishonesty.

The motion carried on the following vote: Vice Mayor Stokes dissented due to the cap increasing citizen support and Commissioner McDowell dissented due to in order for the referendum to pass there should be a limit.

Yes: 3 - Commissioner Emrich, Mayor White and Commissioner Langdon

No: 2 - Commissioner McDowell and Vice Mayor Stokes

7. PUBLIC COMMENT:

In person public comment:

Robin San Vicente: Spoke to cash receipt summary and use of Tree Fund.

David Duval: Spoke to Code Enforcement.

Josh Smith: Expressed opposition to passing 24-0820.

8. COMMISSION COMMUNICATIONS:

- A.** [24-0292](#) Commissioner Emrich's Communications
Commissioner Emrich reported on important topics and events attended.
- B.** [24-0311](#) Mayor White's Communications
Mayor White reported on important topics and events attended.
- C.** [24-0260](#) Commissioner McDowell's Communications
Commissioner McDowell reported on important topics and events attended.
- D.** [24-0821](#) Vice Mayor Stokes' Communications
Vice Chair Stokes reported on important topics and events attended.
- E.** [24-0243](#) Commissioner Langdon's Communications
Commissioner Langdon reported on important topics and events attended.

9. ADMINISTRATIVE AND LEGAL REPORTS:

Ms. Faust did not provide a report.

Ms. Slayton did not provide a report.

Mr. Fletcher did not provide a report.

10. ADJOURNMENT:

Mayor White adjourned the meeting at 3:42 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk