



# City of North Port

4970 CITY HALL BLVD  
NORTH PORT, FL 34286

## Meeting Minutes City Commission Regular Meeting

### **CITY COMMISSIONERS**

*Jill Luke, Mayor*

*Pete Emrich, Vice Mayor*

*Barbara Langdon, Commissioner*

*Debbie McDowell, Commissioner*

*Alice White, Commissioner*

### **APPOINTED OFFICIALS**

*Jason Yarborough, Interim City Manager*

*Amber L. Slayton, City Attorney*

*Heather Taylor, City Clerk*

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Tuesday, June 22, 2021

6:00 PM

City Commission Chambers

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### **CALL TO ORDER**

Mayor Luke called the meeting to order at 6:00 p.m.

### **ROLL CALL**

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

### **Also Present**

Interim City Manager Jason Yarborough, Acting Assistant City Manager Julie Bellia, City Attorney Amber Slayton, City Clerk Heather Taylor, Recording Secretary Amanda Baker, Fire Chief Scott Titus, Police Chief Todd Garrison, Deputy Police Chief Chris Morales, Finance Director Kimberly Ferrell, Parks and Recreation Director Sandy Pfundheller, Acting Public Works Director Chuck Speake, Solid Waste Manager Frank Lama, and Environmental Technician Savannah White

### **PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was led by Sarasota County Commissioner Ron Cutsinger.

### **1. APPROVAL OF AGENDA**

*A motion was made by Commissioner McDowell, seconded by Commissioner White, to approve the agenda, moving Item Nos. 21-0857 and 21-0876 after Item No. 21-0978. The motion carried on the following vote:*

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

### **2. PUBLIC COMMENT:**

Ms. Taylor read the following public comment into the record:

Robin SanVincente: land-clearing permits and scrub-jay nesting areas.

**3. ANNOUNCEMENTS**

- A. [21-0978](#) Current Vacancies and Upcoming Expiration Dates for Boards and Committees

Ms. Taylor read the announcements into the record.

**4. CONSENT AGENDA:**

*A motion was made by Commissioner McDowell, seconded by Vice Mayor Emrich, to approve the items in the Consent Agenda with Item Nos. 21-0792 and 21-0977 being pulled for discussion. The motion carried on the following vote:*

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

- A. [21-0346](#) Approve the System Purchase, Support and Software License Agreement and KeyTrak, Inc. Contract Amendment No. 2 with KeyTrak, Inc. (KTI) in the Amount of \$2,260.00.

*This item was approved on consent.*

- B. [21-0651](#) Approve Interlocal Agreement by and Between Charlotte County and the City of North Port Regarding the Installation of Automatic License Plate Reader Systems for the City of North Port Police Department.

*This item was approved on consent.*

- C. [21-0792](#) Approve Modifying the Project Description for Capital Improvement Project PD21EP Construction of Building for Property / Evidence to Include Cost Estimate for Renovation of Vacated Space at Existing Police Department Headquarters

Mayor Luke announced the item.

Mr. Yarborough introduced the item and noted Commissioner McDowell pulled the item for discussion.

Commissioner McDowell spoke to the scope in CIP PD21EP containing language from FY 2020-2021.

Deputy Chief Morales spoke to the conceptual design cost analysis for property, evidence, and crime scene and potential 911/Emergency Operating Center facility, Request for Proposal (RFP) from June 2020 including cost and phases of conceptual design, and renovating current headquarters after staff relocation.

Ms. Ferrell spoke on the CIP sheet for FY 2020-2021, RFP that was adopted in FY 2020-2021, updating the new RFP to include the expansion and answered questions regarding adding the expansion after the CIP sheet was submitted in the June 2021 budget meeting.

Mr. Yarborough read updated CIP PD21EP into the record.

*A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve Item No. 21-0792, approving the expansion of the scope for CIP PD21EP as read into the record by the City Manager. The motion carried on the following vote:*

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

- D.** [21-0819](#) Approve Agreement for Waiver of Construction Traffic Road Fees - Wellen Park

*This item was approved on consent.*

- E.** [21-0821](#) Approve the Bradenton Police Department Subrecipient Agreement for the High Intensity Drug Trafficking Areas Program (HIDTA) to Bring Law Enforcement Together and Assist with Funding Involved with Narcotics Related Investigations.

*This item was approved on consent.*

- F.** [21-0830](#) Approve the Application and Acceptance of the 2021 Bulletproof Vest Grant for Replacement Body Armor for Police Officers in the Amount of \$7,866.00 if Awarded.

*This item was approved on consent.*

- G.** [21-0835](#) Approve the Agreement Between Imagine School at North Port, Inc. (ISNP) and the City of North Port for the School Resource Officer Program, with the City Receiving \$146,860.05 from ISNP

*This item was approved on consent.*

- H.** [21-0837](#) Approve Change Order to Increase the Utilization of Temporary Staffing Agencies, Including but not Limited to, Ad-Vance Talent Solutions and C.A.P. Government, Inc., for Employment Services on an "as Needed Basis" for an Estimated Amount of \$53,600 for the Remaining Fiscal Year 2021.

*This item was approved on consent.*

- I.** [21-0845](#) Approve License Agreement Between the City of North Port and Main Street Ranchlands, LLP, to Allow the City to Occupy Two Conference Rooms at 19503 S. West Village Parkway at No Charge to the City.

*This item was approved on consent.*

- J.** [21-0864](#) 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 consent.*

- K. [21-0884](#) Appointment of Danny Schumann as a Regular Member, with VFW Post 8203 on the Veterans' Park Advisory Committee to Serve a Term from June 22, 2021 to June 22, 2023.  
*This item was approved on consent.*
- L. [21-0890](#) Approve Contract No. 2021-28 City Hall Backup Generator Installation with OAC Action Construction Corp in the amount of \$844,826.95 with a Contingency of \$79,258.05 for a Total FEMA Approved Construction cost of \$924,085.00  
*This item was approved on consent.*
- M. [21-0895](#) Approve the 2021 Suncoast Summer Reading Challenge Memorandum of Understanding Between the Patterson Foundation and the City of North Port, Florida to Support the Suncoast Campaign for Grade-Level Reading within Summer Camp  
*This item was approved on consent.*
- N. [21-0977](#) Approve 2022 State and Federal Legislative Priorities  
Mayor Luke announced the item.  
Mr. Yarborough introduced the item and noted Commissioner McDowell pulled the item for discussion.  
Commissioner McDowell spoke to updating the statistics of the City on both State and Federal Legislative Priorities and adjusting State priorities under Infrastructure to add the word "new" in front of I-75 interchange in North Port.  
Discussion took place regarding whether staff made the adjustments as noted.  
*There was consensus to update the statistics on both State and Federal priorities.*  
*There was consensus to add the word "new" in front of I-75 interchange.*
- O. [21-0889](#) Approval of Minutes for the May 17, 2021 Commission Special Meeting  
*This item was approved on consent.*
- P. [21-0979](#) Approval of Minutes for the June 3, 2021 Commission Regular Meeting  
*This item was approved on consent.*
- Q. [21-0770](#) Approve the Purchase in the Amount of \$175,000.10 from SHI International Corp. for City and Police Department Microsoft Office 365 Approve the Utilization of State of Florida Contract No. 43230000-15-02 with SHI International Corp. in the Amount of \$175,000.10 for City and Police Department Microsoft Office 365 License Renewals Plus an Additional Amount of up to \$50,000 to Complete the Remaining City Projects in FY

2021; Approve Microsoft Affiliate Documents for the Police Department, Including Enterprise Update Statement (Enrollment No. 74496474), Program Signature Form, Sub250 Form, Enterprise Enrollment (82761741), and Product Selection Form; Approve Microsoft Affiliate Documents for the City, Including Enterprise Update Statement (Enrollment No. 61965670), Program Signature Form, Enterprise Enrollment (60277867), and Product Selection Form; and Authorize the City Manager to Enter Into and Execute Future Microsoft Affiliate Documents for the City and the Police Department Related to This Procurement

*This item was approved on consent.*

- R. [21-0983](#) Appointment of Ronnie Carroll to the Veterans Park Advisory Committee as the AMVETS Post 2000 Representative, to Serve a Term from June 22, 2021 to June 22, 2023.

*This item was approved on consent.*

- S. [21-0999](#) Accept the Gulf Coast Community Foundation Leveraged Grant in the Amount of \$25,000 and Approve the Gulf Coast Community Foundation General Grant Terms, Conditions, and Understandings.

*This item was approved on consent.*

## **5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES**

- A. [21-0857](#) Sarasota County Commissioner Ron Cutsinger Update to North Port City Commission

Mayor Luke announced the item.

Mr. Cutsinger provided a presentation regarding setting up quarterly presentations during City Commission meetings to update the community on current events, groundbreaking event at Legacy Trail, completion of all trails, newly implemented On Demand curb-to-curb mobility service throughout Sarasota County, removing unused SCAT routes, River Road construction, regional sports complex at Wellen Park, regional fire training academy, Surtax IV, and vacant office space at City Hall.

## **6. RECOGNITIONS:**

- A. [21-0876](#) Presentation of Awards to Winners of the North Port Friends of Wildlife Gopher Tortoise Youth Contest

Mayor Luke announced the item.

Edie Driest and the Commissioners presented the awards to the winners.

**7. PUBLIC HEARINGS:****ORDINANCE - Second Reading:**

- A. [ORD. NO. 2021-27](#) An Ordinance of the City of North Port, Florida, Amending the Code of the City of North Port, Florida, Section 4-123 to Modify the Powers and Duties of the Art Advisory Board; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Luke announced the item and directed City Clerk to read the Ordinance by title only.

Ms. Taylor read the Ordinance by title only and introduced the item.

There was no discussion on this item.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner Langdon, seconded by Vice Mayor Emrich, to approve Ordinance No. 2021-27 as presented. The motion carried on the following vote:***

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

- B. [ORD. NO. 2021-32](#) An Ordinance of the City of North Port, Florida, Revising the Environmental Advisory Board's Duties by Amending Section 4-182 of the Code of the City of North Port, Florida; Disbanding the Beautification and Tree/Scenic Highway Committee by Repealing Chapter 4, Article V of the Code of the City of North Port, Florida; Disbanding the North Port Youth Council by Repealing Chapter 4, Article XI of the Code of The City of North Port, Florida; Providing for Findings; Providing for Conflicts; Providing for Severability; Providing for Codification; and Providing an Effective Date.

Mayor Luke announced the item and directed the City Clerk to read the Ordinance by title only.

Ms. Taylor read the Ordinance by title only and introduced the item.

There was no discussion on this item.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner White, seconded by Commissioner Langdon, to approve Ordinance No. 2021-32 as presented. The motion carried on the following vote:***

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

**ORDINANCE - First Reading:**

- A. [ORD. NO. 2021-35](#) An Ordinance of the City of North Port, Florida, Amending the Non-District Budget for Fiscal Year 2020-21 by Transferring \$137,800 from the General Fund Balance for City Manager Division's Payroll Accounts; Transferring a Total of \$ 6,802,484 to the Warm Mineral Springs Buildings Restoration Project from Multiple Capital Projects, the Warm Mineral Springs Fund Balance, and the Parks Impact Fees Fund Balance; Transferring \$7,711 from the Building Fund Balance to Add an Additional Customer Service Rep I FTE; Transferring \$5,000,000 from Transportation Impact Fees Fund Balance for Reimbursement to West Villages Improvement District Pursuant to the Transportation Impact Fee Reimbursement Agreement Regarding Public Roadway Network within Wellen Park; Providing for Findings; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

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

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

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

Ms. Taylor read the Ordinance by title only.

Mr. Yarborough introduced the item.

Ms. Ferrell spoke to splitting the requested total amount into six funds including City Manager division payroll account for the call center, Warm Mineral Springs (WMS) buildings restoration project, WMS fund balance, parks impact fee fund, adding a full-time customer service representative to the Building department, and the payment to Wellen Park transportation impact fee fund.

Discussion took place regarding remaining balance from the Atwater IV park fund being transferred to the WMS buildings fund, outstanding balance for the WMS fund, the Atwater IV park fund transfer for FY 2021-2022, and concerns about the call center.

Ms. Bellia spoke to the vacant building official position, use of third-party providers, necessity for an on-staff building official position, volume of calls for permitting, issues with the software program, online permitting, and the Sarasota County call center.

Discussion ensued regarding the volume of calls post-Covid, positions being funded by the building department, unused funds, dedicated phone lines for permitting calls, redirecting calls from the main line to other departments, who operates the City Hall switchboard and routes calls, building official position, obtaining a new vendor for online permitting software, meeting with the Charlotte County building department, remaining balance from the City Manager's payroll account, and the building department phone

lines.

Ms. Bellia spoke to the main switchboard operator, extensions for each department, and directing rollover calls.

Discussion continued regarding the City Clerk's office handling the main switchboard, changing the direction of calls, customers receiving inspectors' extensions, the disconnect between the main switchboard and the building department, and primary duties of the City Clerk's office staff.

There was no public comment.

Mayor Luke closed the public hearing and requested a motion.

***A motion was made by Commissioner McDowell, seconded by Commissioner White, to continue Ordinance No. 2021-35 to a date to be determined and removing all references to a building department call center budget amendment.***

Discussion took place regarding the requested amount for the call center representative to be transferred from the building department fund balance.

Mayor Luke spoke to the need for putting a better building department call system in place, staff trying to address the perceived issues, straightening out issues in conjunction with the building department.

***The motion failed on the following vote:***

**Yes:** 2 - Commissioner McDowell and Commissioner White

**No:** 3 - Mayor Luke, Vice Mayor Emrich and Commissioner Langdon

Commissioner Langdon dissented due to supporting a higher level of service within the building department and supporting greater assistance for the building inspectors.

Vice Mayor Emrich dissented due to the funding of Warm Mineral Springs.

Mayor Luke dissented due to reasons stated previously.

***A motion was made by Commissioner Langdon, seconded by Commissioner White, to continue with Ordinance No. 2021-35 to a second reading on July 13, 2021.***

Discussion ensued regarding the building department being self-contained, need for funding for software upgrades in the future, no prior discussion or request for call center representative positions to the budget, and no knowledge from staff regarding main switchboard operation.

***The motion carried on the following vote:***

**Yes:** 3 - Mayor Luke, Commissioner Langdon and Commissioner White

**No:** 2 - Vice Mayor Emrich and Commissioner McDowell

Vice Mayor Emrich dissented due to reasons stated previously.

Commissioner McDowell dissented due to objecting adding call center representative positions.



**8. GENERAL BUSINESS:****A. [21-0852](#) Discussion and Possible Action Regarding Modifying or Waiving Fees for Public Records Requests**

Mayor Luke announced the item.

Ms. Taylor introduced the item and noted Commissioner McDowell requested the item be placed on the agenda.

Commissioner McDowell spoke to possibly setting forth a policy for waiving fees, and discussing this item with the Board.

Discussion took place regarding waiving fees for certain requests, defining the extension of the request, volume of requests that take less than 30 minutes as opposed to longer than 30 minutes, and new bill regarding redacting civil cases effective July 1, 2021.

Ms. Slayton explained the new bill affects the Court Clerk's office, and revising the system that will satisfy the policy.

Discussion ensued regarding mechanisms used during process.

Public Comment:

Stephanie Gibson: supports waiving fees

Discussion ensued regarding tracking the fees collected for public records requests, selecting which documents are being requested, and possibly placing this item in the Charter.

***No action was taken on this item.***

**B. [21-0891](#) Discussion and Possible Action Regarding Appointment of Donald Bailey to the Veterans Park Advisory Committee as the Parks and Recreation Advisory Board Member, to Serve a Term from June 22, 2021 to June 22, 2023.**

Mayor Luke announced the item.

Ms. Taylor introduced the item.

Discussion took place regarding the open positions for Veterans Park Advisory Committee, hesitation of placing another member of American Legion Post 254 on the Committee, and allowing a current Board member on the Committee.

***There was consensus to postpone this item until July 13, 2021.***

**C. [21-0987](#) Discussion and Possible Action Regarding the Issuance of Land Clearing/Underbrush Clearing Permits for Designated Scrub Jay Properties During the Scrub Jay Nesting Period of March 1st Through June 30th Each Year.**

Mayor Luke announced the item.

Mr. Yarborough introduced the item and noted Commissioner White requested this item be placed on the agenda.

Commissioner White spoke to the underbrush permit definition, issue with online application, US Fish and Wildlife Services advising the City what is allowed and restricted, other areas regarding scrub-jay nesting season, and ensuring land-clearing activities cease between March 1 through June 30.

Public comment:

Edie Driest: scrub-jay nesting ordinance

Ms. Taylor read the following public comment into the record:

Debbie: scrub-jay nesting ordinance

## **9. COMMISSION COMMUNICATIONS:**

Commissioner Langdon reported on Flag Day at AmVets Post 2000, Flag retirement ceremony, Legacy Trail groundbreaking event, Garbage Man Day event, and hosted a luncheon to discuss City water/sewer conversion.

Vice Mayor Emrich reported on Flag Day at AmVets Post 2000, Florida League of Cities, and the Legacy Trail groundbreaking event.

Commissioner White reported on the passing of Doris Doersam, a founding member of People for Trees, Inc., Florida League of Cities, and the Independence Day celebration.

Commissioner McDowell reported on Flag Day at AmVets Post 2000, Legacy Trail, Do the Right Thing banquet, and Florida League of Cities.

Mayor Luke reported on Flag Day at AmVets Post 2000, Legacy Trail, Garbage Man celebration, Florida League of Cities, Do the Right Thing banquet, Mayors' Feed the Hungry drive at Benderson Park, and the Economic Development Corporation (EDC) and Tourism Development Council (TDC) meetings.

## **10. ADMINISTRATIVE AND LEGAL REPORTS:**

### **A. [21-0870](#) City Attorney Report**

Ms. Slayton did not have a report.

### **B. [21-0900](#) City Manager Report**

Mr. Yarborough did not have a report.

### **C. [21-0980](#) City Clerk Report**

Ms. Taylor did not have a report.

**11. PUBLIC COMMENT:**

Justin Willis: use of the daycare building at the Al Goll Center.

Discussion took place regarding Kiwanis using the daycare for storage purposes, and any progress regarding boarding up the daycare windows and doors, and placing on a future agenda for discussion.

**12. ADJOURNMENT:**

Mayor Luke adjourned the meeting at 8:30 p.m.

City of North Port, Florida

By: \_\_\_\_\_  
Gisele "Jill" E. Luke, Mayor

Attest: \_\_\_\_\_  
Heather Taylor, City Clerk

Minutes approved at the Commission Regular Meeting this \_\_\_\_ day of \_\_\_\_\_, 2021.