



City of North Port

4970 CITY HALL BLVD
NORTH PORT, FL 34286

Meeting Minutes City Commission Regular 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

Tuesday, July 11, 2023

6:00 PM

City Commission Chambers

CALL TO ORDER

Mayor Langdon called the meeting to order at 6:00 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, City Clerk Heather Faust, Fire Chief Scott Titus, Deputy Police Chief Chris Morales, Assistant City Manager Julie Bellia, Parks and Recreation Director Sandy Pfundheller, Assistant Parks and Recreation Director Trish Sturgess, Development Service Director Alaina Ray

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by WKDW Station Manager R.J. Malloy.

1. APPROVAL OF AGENDA

A motion was made by Commissioner Emrich, seconded by Commissioner Stokes, to approve the Agenda as presented. The motion carried on the following vote:

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

2. PUBLIC COMMENT:

Ms. Faust read the following eComment into the record:
Sally Fontaine: expressed concern with mosquito control

In person:

Valdy Olender: expressed concern with police presence and preemption law
Jeffrey Scott: expressed concern with Warm Mineral Springs workshop items

3. ANNOUNCEMENTS

- A. [23-0442](#) Current Vacancies and Upcoming Expirations for Advisory Boards and Committees

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

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve the Consent Agenda with the exception of Item No. 23-1023 being removed from the Agenda with no action taken and Item No. 23-1032 being pulled for discussion. The motion carried on the following vote:

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

- A. [23-0774](#) Approve the Second Amendment to Agreement No. 2018-40 - Professional Engineering/Architectural Services for Site Selection and Design Services for Utilities Administration and Warehouse Facilities Between the City of North Port and Stantec Consulting Services, Inc., for an Additional \$171,251.50, for a Total Contract Price of \$1,367,056.50.

This item was approved on the consent agenda.

- B. [23-0981](#) Approve Work Assignment 2023-08 with Kimley-Horn and Associates, Inc., in the Amount of \$200,160.00, for the Pan American Water Reclamation Facility Centrifuge Building and Monorail System Project.

This item was approved on the consent agenda.

- C. [23-1023](#) Approve Construction Contract No. 2023-35 – Southwest Water Reclamation Facility (SWWRF) Sludge Drying Bed with C&T Contracting Services, LLC in the Amount of \$567,163.09, With a Contingency of \$56,716.00, for a Total Amount of \$623,879.09.

This item was removed from agenda with no action taken.

- D. [23-1032](#) Approve the Donation of a Canine from the North Port Police Officers Association Provided Through the Generous Donation of \$12,000 from North Port Citizens Nancy Hoffman and Linda Cook.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

K9 Ace was introduced and the donors were recognized.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to approve Item No. 23-1032 as presented. The motion carried on the following vote:

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

- E.** [23-1034](#) Accept the Cash Receipts Summary Report for May 2023.

This item was approved on the consent agenda.

- F.** [23-1038](#) Approve Amendment No. 1 to Agreement No. CAC2023-0027, a Technology Services Agreement Between Sarasota County and the City of North Port for the County's Continued Provision of Hosting Services for the City of North Port Servers and Network Equipment for the Term of One Year in an Amount not to Exceed \$12,623.64.

This item was approved on the consent agenda.

- G.** [23-1046](#) Approval of Minutes for the June 6, 2023 Commission Special Meeting

This item was approved on the consent agenda.

- H.** [23-1094](#) Approve the May 18, 2023 Commission Joint Meeting Minutes

This item was approved on the consent agenda.

5. PRESENTATIONS: TIME LIMIT OF 15 MINUTES

- A.** [23-1090](#) Sarasota County Commissioner Ron Cutsinger Update to the North Port City Commission.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item and noted that Mr. Cutsinger was not able to attend today's meeting.

There was no public comment.

6. PUBLIC HEARINGS:

ORDINANCE - Second Reading

- A.** [ORD. NO. 2023-18](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan Future Land Use Element Regarding Goal 2, Figure 1: Standards for Activity Centers, AC #7 Area A, Warm Mineral

Springs; Amending the Density, Intensity, and Percentage Of Land Use; and Amending Goal 2, Activity Center #7 Area A, Policies 2.7.11 Through 2.7.22, Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; Providing for Conflicts; Providing for Severability; and Providing an Effective Date.

Mayor Langdon announced the item and called on the City Clerk to read by title only.

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item noting the property owner has requested a continuance.

Ms. Ray spoke to the request for continuance.

Commission questions took place regarding second reading timeline requirements and process should there be changes.

There was no public comment.

Mayor Langdon closed the public hearing and requested a motion.

A motion was made by Commissioner Emrich, seconded by Vice Mayor White, to continue Ordinance No. 2023-18 to a date to be determined. The motion carried on the following vote:

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

7. GENERAL BUSINESS:

- A.** [23-1030](#) Discussion and Possible Action Regarding the Charter Review Advisory Board Revisiting Amending the City Charter Relevant to the City Manager Signature Authority for Contracts, Authority to Enter Into Contracts, and Establishing Conditions.

Mayor Langdon announced the item.

Ms. Faust introduced the item.

Commission questions and discussion took place regarding prior Commission discussion, referendum results, public understanding of referendum question language, and delay in contract/agreements processing.

Public comment:

Jeffrey Scott: expressed concern with accountability

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to direct the City Clerk to send letter to the Charter Review Advisory Board members denying their request to revisit the failed Charter Referendum question regarding the City Manager's signature authority and to thank them for their service. The motion carried on the following vote:

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

B. [23-1042](#) Discussion and Possible Direction Regarding Existing Parks & Recreation Department Capital Improvement Program Projects.

Mayor Langdon announced the item.

Mr. Fletcher introduced the item.

Ms. Pfundheller spoke to the Dallas White Park Capital Improvement Project (CIP).

Commission questions took place regarding expenditures to date, use of location, signage, and process regarding prior Commission direction.

Mr. Fletcher spoke to emergency powers due to hurricane impact.

Ms. Sturgess spoke to expenditures to date.

Commission questions and discussion continued regarding storage unit, quote for demolition of three buildings and storage unit installation, prior discussion, reallocating funds to priority projects, terminating agreement with Colliers International, former VPK building lease with Kiwanis, use of storage unit, K9 training building use, current Clothing Closet location usage, alternate storage options, removal of modular unit, time frame for demolition, preliminary bids, funding options, partnership with Kiwanis, and City use of storage unit.

Ms. Slayton responded to Commission questions regarding public notice and inclusion on future agenda.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner Emrich, to terminate the agreement with Colliers International relating to Dallas White Park and Italy Avenue. The motion carried on the following vote:

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

Discussion took place regarding reallocating funding and Parks and Recreation Headquarters location.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to reallocate the \$1 million, pending staff's verification of the expenditures to date, originally in the Dallas White Project P21DWR to CIP P24PMC. The motion carried on the following vote:

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

Commission discussion took place regarding CIP P19AP4, use of Park Impact Fees, funding for a park to the east of Toledo Blade Boulevard, further discussion with finance, and property acquisition to the east.

A motion was made by Commissioner McDowell, seconded by Commissioner

Stokes, to direct the City Manager to bring back options available for CIP P19AP4, for the possible reallocation of \$992,500 in park impact fees, at next week's Budget Workshop. The motion carried on the following vote:

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

Commission discussion took place regarding future dog park allocation of \$400,000 in Park Impact Fees including discussion with Jeff King, Boca Chica neighborhood park including closest park, location, need for parks map with locations, population of location, Toledo Blade Boulevard area development, park intention, neighborhood survey results, land acquisition for pocket parks, and need for additional information regarding plans and strategy for locations.

A motion was made by Commissioner McDowell, seconded by Vice Mayor White, to keep funding of CIP P23PAS as is with staff moving forward with design. The motion carried on the following vote:

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

No: 1 - Mayor Langdon

Mayor Langdon dissented due to the need for additional information regarding future park location plans.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to direct staff to bring back a Parks Plan featuring possible future park locations East of Toledo Blade Boulevard for various types of parks. The motion carried on the following vote:

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

Commission discussion took place regarding Langlais Park including keeping in place with caveat that the park is included in Activity Center 6 Master Plan, location, acquisition of property, and proximity to commercial development.

A motion was made by Commissioner McDowell, seconded by Commissioner Stokes, to keep CIP P25LPD as is and to add it to the Master Plan for Activity Center 6. The motion carried on the following vote:

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

Recess was taken from 7:54 p.m. until 8:10 p.m.

C. [23-1078](#)

Discussion and Possible Direction Regarding Drafting an Ordinance Prohibiting Smoking of Cigarettes and Vapes in City Parks Except in Designated Smoking Areas.

Mayor Langdon announced the item.

Ms. Faust introduced the item.

Vice Mayor White spoke to the item including House Bill 105 regarding cigar exemptions, definition of parks, Myakkahatchee Creek Park Greenway Trail linear park status, City Center Green, Florida Statutes smoking definition, City of Sarasota ordinance regarding parking lot designated smoking area and drafting an ordinance.

Commission questions and discussion took place regarding cost factors for signage, ash trays, and public education, self-regulating and common courtesy, designated smoking area locations, enforcement, state regulations and exemptions, surrounding municipality enactment of ordinances, additional discussion, and legal review.

Ms. Slayton spoke to process to ensure legal content within an ordinance.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Vice Mayor White, seconded by Commissioner McDowell, to direct the City Attorney to draft an ordinance prohibiting smoking of cigarettes and vaping in City parks including a reference to designated smoking areas.

Commission discussion took place regarding receiving additional information from staff prior to drafting an ordinance.

Ms. Bellia spoke to this being a controversial topic, possible grants for ash trays, prior discussion and action, and possible changes on the state level.

Commission discussion continued regarding timeliness of bringing information back.

A motion to amend was made by Commissioner Stokes, seconded by Commissioner McDowell, to add "to direct staff to bring back information regarding cost for designated smoking areas and enforcement considerations." The motion carried on the following vote:

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

No: 1 - Commissioner Emrich

Commissioner Emrich dissented due to the amendment being attached to the original motion and the need to obtain additional information prior to drafting an ordinance.

The main motion as amended carried on the following vote:

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

No: 1 - Commissioner Emrich

Commissioner Emrich dissented for reasons stated.

D. [23-1047](#)

Discussion and Possible Action Regarding Approval of the June 13, 2023 Commission Regular Meeting Minutes

Mayor Langdon announced the item.

Ms. Faust introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner McDowell, seconded by Commissioner

Stokes, to approve the June 13, 2023 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

E. [23-1096](#) Discussion and Possible Action Regarding Approval of the June 14, 2023 Commission Workshop Meeting Minutes

Mayor Langdon announced the item.

Ms. Faust introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor Langdon requested a motion.

A motion was made by Commissioner Stokes, seconded by Commissioner McDowell, to approve the June 14, 2023 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

8. PUBLIC COMMENT:

There was no public comment.

9. COMMISSION COMMUNICATIONS:

Mayor Langdon called on Commissioners for communications.

A. [23-0843](#) Mayor Langdon Communications

Mayor Langdon reported on events attended.

B. [23-0844](#) Vice Mayor White's Communications

Vice Mayor White reported on events attended.

C. [23-0845](#) Commissioner Emrich's Communications

Commissioner Emrich did not have a report.

D. [23-0846](#) Commissioner McDowell's Communications

Commissioner McDowell reported on events attended.

E. [23-0847](#) Commissioner Stoke's Communications

Commissioner Stokes reported on events attended and important topics.

10. ADMINISTRATIVE AND LEGAL REPORTS:

Mayor Langdon called on Charter Officers for reports.

Ms. Faust did not have a report.

Ms. Slayton reported on elected officials training.

Mr. Fletcher did not have a report.

11. ADJOURNMENT:

Mayor Langdon adjourned the meeting at 8:51 p.m.

City of North Port, Florida

By: _____
Barbara Langdon, Mayor

Attest: _____
Heather Faust, City Clerk