



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, May 14, 2024

10:00 AM

City Commission Chambers

CALL TO ORDER

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

ROLL CALL

Present: 4 - Commissioner Debbie McDowell, Mayor Alice White, Vice Mayor Philip Stokes and Commissioner Barbara Langdon

Absent: 1 - Commissioner Pete Emrich

Also Present:

City Manager Fletcher, City Attorney Slayton, City Clerk Faust, Board Specialist Bodmer, Deputy Chief Morales, Fire Chief Titus, Assistant Utilities Director Vuolo, Assistant Utilities Director Brasefield, Assistant Director of Development Services Barnes, Director of Development Services Ray, Assistant Parks & Recreation Director Sturgess, Facility Manager Humprey, Art Board Liaison White, and Planner Brown

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was led by Dee Dee Gozion.

1. APPROVAL OF AGENDA

Mayor White requested a motion to approve the agenda.

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

Absent: 1 - Commissioner Emrich

2. PUBLIC COMMENT:

Ms. Faust played the following voice mails into the record:
Jasmine Bowman: Spoke to Warm Mineral Springs Park.

Ms. Faust read the following eComments into the record:
Josh Smith: Spoke to citizen input.

In Person public comment:

David Baber: Spoke to protecting Warm Mineral Springs.

Debbie Blackwell: Expressed support of cultural resources.

Luci Bromberg: Expressed support of Warm Mineral Springs round table.

Thaddeus Derish: Expressed support of Warm Mineral Springs round table.

3. ANNOUNCEMENTS

A. [24-0211](#) 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:

Charlie Bailey: Spoke in support of Item No. 24-0577.

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 No. 24-0675 and Item No. 24-0577 being pulled for discussion. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

A. [24-0430](#) Approve the FitRev Preventative Maintenance Agreement for the Maintenance of the Police Department Fitness Equipment in the Amount of \$620.00.

This Item was approved on the consent agenda.

B. [24-0472](#) Approve the Disposition of Surplus Fleet 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 the consent agenda.

- C. [24-0567](#) Approve the Award of Funds From the Special Event Assistance Program to First Slavic Pentecostal Church in Support of the Family Christian Festival Held on April 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.

- D. [24-0577](#) Approve the Third Amendment to the City of North Port, Florida and Sabal Trace Development Partners, LLC. Water and Wastewater System Developer's Agreement

Mayor White announced the item.

Commissioner McDowell spoke to the item.

Commission questions and discussion took place regarding legislative language regarding contributions paid to date.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to approve Item No. 24-0577 as presented. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

- E. [24-0584](#) Accept the Cash Receipts Summary Report for March 2024.

This Item was approved on the consent agenda.

- F. [24-0597](#) Approve Change Order No. 2 to Work Assignment 2023-06 - Water Study Cost Benefit Analysis Project with Black & Veatch Corporation, for an Additional Amount of \$74,292.00, for a Total Cost of \$156,868.00

This Item was approved on the consent agenda.

- G. [24-0609](#) Approve the February 1, 2024 Commission Regular Meeting Minutes, the March 4, 2024 Commission Workshop Meeting Minutes, and the March 26, 2024 Commission Regular Meeting Minutes.

This Item was approved on the consent agenda.

- H. [24-0675](#) Approve and Authorize the City Manager to Execute the Letter of Intent to Purchase an Additional 2 Million Gallons per Day of Water Supply from Peace River Manasota Regional Water Supply Authority

Mayor White announced the item.

Commissioner McDowell spoke to the item.

Commission questions and discussion took place regarding letter of intent, Southwest

Water Treatment Plant, Peace River, peak water demands, and last years projections.

There was no public comment.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve Item No. 24-0675 as presented. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

- I. [24-0685](#) Approve the April 9, 2024 Commission Regular Meeting Minutes, the April 17, 2024 Commission Special Meeting Minutes, and the April 22, 2024 Commission Workshop Meeting Minutes

This Item was approved on the consent agenda.

5. PUBLIC HEARINGS:

PETITIONS:

- A. [CC](#) Consideration of Petition PLF-23-080, Fellowship Replat for a Portion of
[PLF-23-080](#) Lot 1, South Biscayne Commons. (QUASI-JUDICIAL)

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

Ms. Faust swore in those wishing to provide testimony.

Ms. Slayton reminded the board that general public comment is not part of the hearing but to disclose as ex-parte.

Mayor White called for disclosure of ex-parte communications.

Commissioner McDowell disclosed public comment read into the record.

Commissioner Langdon disclosed public comment read into the record.

Mayor White disclosed public comment read into the record.

Vice Mayor Stokes disclosed public comment read into the record.

Ms. Faust stated there were no aggrieved parties.

Stefan Beuge, Shumaker, Loop & Kendrick, LLP, being duly sworn, provided a presentation including location, purpose of request, requirements met, review for conformity, required dedications, utility easements, existing conditions, approvals by staff and Commission, conformance with infrastructure plans, existing and future land use designation, surrounding properties, size, compliance and consistency, and request for approval.

Mr. Brown, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, neighborhood meeting, zoning, site plan, environmental and wildlife preservation, modification request, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, typographical error, public notice, 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.

A motion was made by Commissioner Langdon, seconded by Commissioner McDowell, to approve the Fellowship Replat, Petition No. PLF-23-080, 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: 4 - Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Absent: 1 - Commissioner Emrich

B. [CC](#) Consideration of Petition PLF-23-214, Heron Creek Place, Phase 2,
[PLF-23-214](#) Replat (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 disclosed of ex-parte communications.
Commissioner McDowell disclosed of ex-parte communications.
Commissioner Langdon disclosed of ex-parte communications.
Mayor White disclosed of ex-parte communications.
Vice Mayor Stokes disclosed of ex-parte communications.

Ms. Faust stated there were no aggrieved parties.

Erin Tumolo, Morris Engineering and Consulting, LLC, being duly, sworn provided a presentation including overview, number of lots, location, continuation of Heron Creek, and subdivision related infrastructure.

Mr. Brown, being duly sworn, provided a presentation including overview, applicant, property owner, request, location, aerial view, neighborhood meeting, zoning, site plan, environmental and wildlife preservation, modification request, compliance with Comprehensive Plan, Unified Land Development Code (ULDC), and Florida Statutes, typographical error, public notice, and recommendations.

There were no rebuttals by the Applicant or Staff.

There was no public comment.

Commission questions and discussion took place regarding sheet 4 and sheet 5.

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 the Heron Creek Place, Phase 2 Replat, Petition No. PLF-23-214, 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: 4 - Commissioner McDowell, Mayor White, Vice Mayor Stokes and Commissioner Langdon

Absent: 1 - Commissioner Emrich

ORDINANCE - FIRST READING:

- A. [ORD. NO. 2024-09](#) An Ordinance of the City of North Port, Florida, Amending the City of North Port Comprehensive Plan, Volume I; Repealing Chapter 1, Planning Framework; Amending Chapter 2, Future Land Use Element; Repealing and Replacing the Future Land Use Map; Amending Chapter 3, Transportation Element; Amending Chapter 4, Utilities Element; Amending Chapter 5, Conservation Element; Amending Chapter 6, Recreation and Open Space Element; Amending Chapter 7, Intergovernmental Coordination Element; Amending Chapter 9, Public School Facilities Element; Amending Chapter 10, Capital Improvement Element; Amending Chapter 11, Economic Development Element; Providing for Findings; Providing for Adoption; Providing for Transmittal of Documents; 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 Commissioner Langdon, seconded by Commissioner McDowell, to direct the City Clerk to read the Ordinance by title only. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item and stated that staff is requesting to continue the first reading to the May 28, 2024 Commission meeting.

Commission questions and discussion took place regarding concern with first reading during evening meeting, impact on timeline of the Unified Land Development Code, structural modifications, including draft on website, consistency with the Comprehensive Plan, review prior to the meeting, and codification.

Ms. Faust read the following eComment into the record:

Krystina Smith: Spoke to the importance of infrastructure.

Josh Smith: Spoke to the importance of informing citizens.

In person comment:

Chuck English: Spoke to the need for Advisory Board review.

Commission questions and discussion continued regarding advisory board involvement,

public hearings, document consistency, state review, and formal adoption.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to direct the City Manager to provide the advisory boards a copy of the draft Comprehensive Plan revisions for review and recommendations to Commission and to place the draft on the website as soon as possible.

Ms. Barnes requested clarification of the motion.

Ms. Faust spoke to advisory board members authority to provide recommendations as a board, not individual.

Ms. Ray stated presentation to advisory boards will delay the completion timeline.

Commission questions and discussion continued regarding importance of receiving advisory board input.

The motion failed on the following vote with Commissioner Langdon dissenting due to some Boards input more relevant to the amendment than others and also with Mayor White and Commissioner Stokes dissenting:

Yes: 1 - Commissioner McDowell

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

Absent: 1 - Commissioner Emrich

Ms. Barnes spoke to lack of quorum for Environmental Advisory Board.

Commission questions and discussion continued regarding current availability.

A motion was made by Commissioner McDowell, seconded by Commissioner Langdon, to direct the City Manager to place draft Comprehensive Plan on the city website as soon as possible.

Commission questions and discussion continued regarding current placement on the website.

A motion to amend was made by Commissioner Langdon, seconded by Commissioner McDowell, to place on the Unified Land Development page of the website. The motion to amend carried on the following vote:

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

Absent: 1 - Commissioner Emrich

The main motion as amended carried on the following vote:

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

Absent: 1 - Commissioner Emrich

Mayor White closed the public hearing and requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to continue the first reading of Ordinance No. 2024-09 to the May 28, 2024 Commission meeting. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

Recess was taken from 11:33 a.m. until 11:38 a.m.

RESOLUTION:

A. [RES. NO. 2024-R-17](#) 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 Design of a Police Headquarters; Public Art Projects; Emergency Operations Center; Capital Contribution to West Villages Improvement District; Morgan Center Reroof and Two Tire Balancers in the Amount of \$20,359,097; Providing for Findings; Providing for Posting; 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.

Ms. Faust read the Ordinance by title only.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding site, drainage, and construction of police headquarters, public art account, Morgan Center reroof, Aquatic Center repairs budget transfer/amendment, police headquarters 100% design, and Surtax funds.

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-17 as presented. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

6. GENERAL BUSINESS:

A. [24-0515](#) Review of Advisory Board Recommendations and Possible Action Regarding:
1. Art Advisory Board - Request for approval to Proceed With the Peace Pole Project.
2. Art Advisory Board - Request for approval to Host a Ribbon Cutting Event to Commemorate the Harvey Artwork Installed on the First Floor of City Hall.

2. Parks and Recreation Advisory Board - Recommendation to Pursue Adding Two Properties on Porto Bello Avenue to Sarasota County Property Acquisition List.

Mayor White announced the item.

Ms. Faust introduced the item and stated that staff will be coordinating a ribbon cutting as requested by the Art Advisory Board.

Mr. White spoke to the Art Advisory Board request for approval to proceed with the Peace Pole Project and introduced Dee Dee Gozion.

Ms. Gozion spoke to the project including purpose, example, application process, planting, Art Center involvement, 65th Anniversary, and Art Advisory Board approval.

Commission questions and discussion took place regarding 65th Anniversary presentation and collection of applications, lifetime of pole, cost to artist, expense, pole location, placement at parks, responsibility for planting, business participation, project cost, selection of participants, approval of artwork and participant, and suggested use of materials.

Ms. Slayton spoke to Art Advisory Board duties, clarity of duties to the Advisory Board, and legal concerns including City property versus public property, private property entry, and sign code regulations.

Commission questions and discussion continued regarding public art, definition of public place, sign code, Art Center project versus city project, art versus sign, and placement on City property.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner Langdon, seconded by Vice Mayor Stokes, to instruct the City Manager to work with staff and the advisory board to evaluate the feasibility of the City sponsoring the Peace Pole Program and to recommend options to minimize any legal risk to the City.

Commission questions and discussion continued took place regarding timing, hindering the Art Centers ability to move forward with the project, implementation option that doesn't involve the City, removing the 65th Anniversary connection.

The motion failed on the following vote:

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

Absent: 1 - Commissioner Emrich

A motion was made by Commissioner Langdon, seconded by Commissioner Langdon, to direct the Art Advisory Board to review Commission comments and to find a path forward to bring back to Commission if decided to have a City sponsored program.

Commission questions and discussion took place regarding removing the City from the project, limitations of advisory boards, and placement of individual pole on public property.

The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

Ms. Sturgess spoke to the Parks and Recreation Advisory Board request to add properties to the land acquisition list.

Commission questions and discussion took place regarding timing, full access to Kirk Park, parkland east of Toledo Blade Boulevard, neighborhood parkland acquisition, and use for parking.

- B.** [24-0596](#) Discussion and Possible Action Regarding a Possible Transfer in the Amount of \$4,000 From Commission Contingency to the Community Assistance/Special Event Assistance Program to Support Fee Assistance Requests Through Fiscal Year 2024.

Mayor White announced the item.

Mr. Fletcher introduced the item.

Commission questions and discussion took place regarding prior events, what is the requested amount based on, current balance, use of Commission contingency money, historical data, and staff expertise.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to authorize the City Manager to transfer in the amount of \$4,000 from Commission Contingency to Community Assistance/Special Event Assistance Program to support fee assistance requests through Fiscal Year 2024. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

- C.** [24-0610](#) Discussion and Possible Action Regarding Approval of the April 1, 2024, Commission Special Meeting Minutes.

Mayor White announced the item.

Ms. Faust introduced the item.

There were no Commission questions or 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 April 1, 2024 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

D. [24-0611](#) Discussion and Possible Action Regarding Approval of the February 27, 2024, Commission Regular Meeting Minutes.

Mayor White announced the item.

Ms. Faust introduced the item.

There were no Commission questions or discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to approve the April 1, 2024 meeting minutes as presented with the recommended changes. The motion carried on the following vote:

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

Absent: 1 - Commissioner Emrich

E. [24-0746](#) Discussion and Possible Action Regarding Hosting a Joint Meeting With Sarasota County Commission, Representative Buchanan, and Senator Gruters to Discuss Warm Mineral Springs and to Fund Refreshments From the Commission Contingency or Warm Mineral Springs Fund (Requested by Commissioner McDowell).

Mayor White announced the item.

Mr. Fletcher introduced the item.

Commissioner McDowell spoke to the item.

Commission questions and discussion took place regarding County Commission and representative interest.

Mr. Fletcher spoke to efforts being taken that will be presented to Commission, requested meeting currently in process, and May 28, 2024 discussion.

Commission questions and discussion continued regarding buildings, exploring all options, and upcoming discussion.

Mr. Fletcher spoke to options reliance on borrowing authority.

Commission questions and discussion continued regarding timing of meeting, borrowing authority, inclusion on the October/November joint meeting, public input, requesting County Commission input regarding meeting, and sending invitation for separate one-topic discussion.

There was no public comment.

Mayor White requested a motion.

A motion was made by Commissioner McDowell, seconded by Vice Mayor Stokes, to direct the City Manager/City Clerk to invite the Sarasota County Board of Commissioners to a joint meeting to discuss Warm Mineral Springs as a Think Tank with state elected and City of North Port elected, as soon as possible.

Commission discussion took place regarding upcoming discussion, timing, intent of invitation, and discussing at the May 28, 2024 meeting.

No Public Comment.

The motion failed on the following vote:

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

Absent: 1 - Commissioner Emrich

7. PUBLIC COMMENT:

There was no public comment.

8. COMMISSION COMMUNICATIONS:

- A. [24-0290](#) Commissioner Emrich's Communications
Commissioner Emrich did not provide communications.
- B. [24-0241](#) Commissioner Langdon's Communications
Commissioner Langdon spoke to events attended.
- C. [24-0258](#) Commissioner McDowell's Communications
Commissioner McDowell's spoke to events attended.
- D. [24-0688](#) Vice Mayor Stokes' Communications
Vice Mayor Stokes spoke to events attended.
- E. [24-0309](#) Mayor White's Communications
Mayor White spoke to events attended.

9. 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.

10. ADJOURNMENT:

Mayor White adjourned the meeting at 1:43 p.m.

City of North Port, Florida

By: _____
Alice White, Mayor

Attest: _____
Heather Faust, City Clerk