

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JANUARY 22, 2020, 9:00 A.M.**

COUNCILMEMBERS PRESENT: Carey, Cummings, Matthews, Miller, Prafke

CITY EMPLOYEES PRESENT: Kristin Simeone, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Joan LeBeau, Urban Design; Pamela Davis, Police; Ray Briggs, Fire; City Attorney Levin; City Manager Kunik; Deputy City Clerk Welch

Mayor Prafke called the meeting to order at 9:00 a.m.

Invocation was given by Mr. Bill Frank, followed by the Pledge of Allegiance.

PROCLAMATION/PRESENTATIONS

Certificate of Recognition William “Bill” Guenther, PGI Neighborhood Marine Watch Volunteer Program

Mayor Prafke presented the Certificate, which was accepted by Mr. William Guenther. Police Chief Pam Davis commended Mr. Guenther and spoke on the Punta Gorda Isles (PGI) Neighborhood Marine Watch Volunteer Program.

Certificate of Achievement for Excellence in Financial Reporting for the City of Punta Gorda, Florida Comprehensive Annual Financial Report (CAFR) for Fiscal Year Ended September 30, 2018

City Manager Kunik presented the Certificate, which was accepted by Ms. Kristin Simeone, Finance Director.

Introduction of Board/Committee Member Nominees

None.

ORDINANCE/RESOLUTION

No Public Hearing Required

Citizen Comments - Ordinances/Resolution Items Only

None.

A Resolution of the City Council of the City of Punta Gorda, Florida, changing the dates of its regularly scheduled Council meetings for July, August and December 2020.

City Attorney Levin read the resolution by title.

Councilmember Carey expressed concern regarding elimination of the second December 2020 meeting.

Discussion ensued regarding scheduling of City Council meetings, with confirmation an additional December meeting could be scheduled if necessary.

Councilmember Carey **MOVED** approval of the resolution, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items
None.

Councilmember Matthews **MOVED** approval of the Consent Agenda, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of January 8, 2020

C. Legal Department

1. Invoices of Allen, Norton & Blue, P.A. for legal services rendered through December 31, 2019 & Annual Retainer.

2. Monthly Litigation Report

D. Finance Department

1. A Resolution of the City of Punta Gorda, Florida, ratifying Agreement #R2018106/SVCECONEVAL/1536 between the City of Punta Gorda as Local Host Agency for the Coastal and Heartland National Estuary Partnership (CHNEP) and the Balmoral Group, LLC for an Economic Valuation Study; and providing an effective date.

E. Urban Design Division

1. Hazard Mitigation Grant Program (HMGP) Grant Opportunity

2. A Resolution of the City Council of the City of Punta Gorda, Florida, authorizing submission of grant applications to the Charlotte County Marine Advisory Committee (MAC) under the Boater Revolving Fund Grant Program for the operation, maintenance and repair of the Lashley Park Municipal Marina pumpout vessel known as the "S.S. Clear Head"; authorizing the City Manager to sign the applications and administer the grants on behalf of the City; authorizing appropriation of funds upon grant award; and providing an effective date.

3. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Coastal & Heartland National Estuary Partnership (CHNEP), approving the Interlocal Agreement between the City of Punta Gorda and Lee County to perform activities consistent with Punta Gorda's Comprehensive Conservation Management Plan (CCMP) on behalf of the CHNEP; authorizing the

Mayor to sign the Agreement on behalf of the City; and providing an effective date.

Citizen Comments - Regular Agenda Items Only

Ms. Gloria Reilly, Secretary Treasurer, PicklePlex, thanked City Council for their consideration of partnering with the PicklePlex for construction of the Phase 2 improvements, stating the City would not be financially obligated.

Mr. Gary Skillicorn spoke in favor of the Peace River Wildlife Center (PRWC) relocating to the City-owned property on West Henry Street.

Mr. Gary Wein expressed support for relocation of the PRWC to the West Henry Street property.

BUDGET

Appropriation of Funds for Demolition of Unsafe Structures

Mr. Randall Cole, Chief Building Official, explained the request would allow for demolition of an unsafe building (at 334 Fitzhugh Avenue), noting any remaining balance would be used to fund future actions regarding unsafe structures.

Councilmember Matthews questioned if the Building Reserve account would be reimbursed in the future.

City Manager Kunik expressed uncertainty as to whether the entirety of the expense would be recovered if the property sold.

Mayor Prafke confirmed a lien would be placed against the property.

Councilmember Matthews **MOVED** approval of the appropriation of funds for demolition of the unsafe structure at 334 Fitzhugh Avenue, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

UNFINISHED BUSINESS

Relocation of Peace River Wildlife Center (PRWC) to City-owned Land on West Henry

City Manager Kunik explained the PRWC desired to relocate to West Henry Street and was requesting a land lease for Phase 1 and Phase 2 of its plans. He commented favorably on the location's suitability, speaking in favor of maintaining space for expansion of the Hounds on Henry dog park (Dog Park). He noted a related project which would integrate all facilities on the property had been submitted for the 1% Local Option Sales Tax Committee's consideration. He stated the PRWC requested payment of monthly utilities as well as assistance with site remediation and creation of storm water retention areas. He noted the City intended to refurbish the existing parking lot as part of work on the Dog Park, which was also addressed by a sales tax project.

Councilmember Matthews voiced support for the relocation; however, she expressed concern regarding the footprint of the site plan, particularly as same could impact expansion of the Dog Park.

Mayor Prafke spoke in favor of Phase 1 and Phase 2 with the condition the PRWC work with staff on expansion of the Dog Park, the trail system and restrooms.

Councilmember Carey requested clarification of the site plan.

Mr. Mitchell Austin, Chief Planner, identified the boundaries of the current Dog Park and an area which could be used for expansion of the Dog Park.

Councilmember Miller commented there was sufficient space for expansion of the Dog Park.

Consensus of City Council was for the PRWC to proceed with Phase 1 and Phase 2 and to work with staff to ensure adequate space was maintained for the trail system, restrooms and Dog Park expansion.

Mayor Prafke spoke against continuing to pay for the PRWC's utilities.

Consensus of members was to deny the request for payment of utilities costs.

Councilmember Miller inquired what funds would be used for site remediation.

City Manager Kunik replied General Fund Reserves or Special Use Fund.

Mayor Prafke commented the City should be responsible for a portion of the site remediation as the property was owned by the City, speaking against to providing fill.

Mr. Rick Keeney, Public Works Director, explained due to the site's previous use, the soil should not require intensive remediation.

Ms. Callie Stahl, Executive Director, PRWC, stated the request for soil remediation was limited to the building site.

Consensus of members was to allow the PRWC to request assistance with site remediation if a complication arose.

Councilmember Matthews opined expansion of the parking lot was the City's responsibility.

Discussion ensued regarding parking needs at the West Henry Street property.

Consensus of City Council was for the City to be responsible for parking and parking-related storm water facilities.

City Manager Kunik concluded staff would begin preparation of a draft lease.

Discussion of Punta Gorda Boat Club Lease

Mr. John Byrne, Punta Gorda Boat Club, presented the lease proposal, detailing its terms as well as plans to improve the site. He concluded the proposed lease would facilitate completion of the Harborwalk and improve the aesthetics of Gilchrist Park.

City Manager Kunik stated staff was amenable to the lease terms.

City Attorney Levin outlined language which required amendment.

Discussion ensued regarding the terms of the lease, clarifying the area allotted for public access and its maintenance as well as use of the Bayfront parking lot during particular events.

Consensus of City Council was acceptance of the lease terms provided adjustments were made according to the City Attorney's direction.

City Manager Kunik concluded staff would move forward with lease preparation.

NEW BUSINESS

Event Permit: 19- 154853; Welcome Home Vietnam Veterans 2020 Event, March 28, 2020

Mr. Bill Aikens explained the request included installation and removal of banners along the parade route by City staff as an in-kind service as well as permission to tie yellow ribbons around light poles one week prior to the event.

Ms. Lisa Hannon stated the cost for installation and removal of the banners was estimated at \$1598, noting maintenance of traffic for the parade was estimated at \$1731. She pointed out there were 40 light poles along the parade route.

Discussion ensued regarding installation of banners on light poles within the Florida Department of Transportation's (FDOT) right-of-way, providing in-kind services, and concern regarding a precedent being set.

Mr. Keeney explained FDOT did not object to short-term banners.

City Attorney Levin stated he was amenable to a one-time, limited placement of banners, noting he preferred removal of banner arms after the event.

Councilmember Cummings **MOVED** approval of providing in-kind services for installation and removal of the banners and maintenance of traffic, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

Mayor Prafke inquired as to the yellow ribbons.

Mr. Aikens assured City Council the yellow ribbons would be removed the week following the event.

NOTE: A short break was called at 10:34 a.m.

PicklePlex Request for Partnership with City of Punta Gorda to Secure Future Funding from Charlotte County

City Manager Kunik explained the partnership request, which would allow Charlotte County to use tourism development tax revenue for construction of PicklePlex Phase 2, noting the City would own but not fund those improvements. He concluded the partnership would only become effective if the County funded the improvements.

Councilmember Carey confirmed the City's ownership would be in perpetuity.

Mayor Prafke stated more courts were needed to accommodate anticipated events.

Mr. Sean Daugherty, Visitor's Bureau, noted the Pickleball World Championships had an economic impact of over \$700,000.

Councilmembers Cummings, Miller and Carey spoke in favor of the partnership, due to the potential economic impact of PicklePlex and the possibility that the improvements would alleviate the need for additional pickleball courts in the City.

Councilmember Matthews spoke against the partnership, expressing concern regarding the City's liability related to the courts.

Councilmember Cummings **MOVED** support for the partnership, **SECONDED** by Councilmember Carey.

VOTING AYE: Carey, Cummings, Miller, Prafke.

VOTING NAY: Matthews.

MOTION CARRIED.

Wastewater Treatment Plant Evaluation and Summary Report

Mr. Tom Jackson, Utilities Director, explained State regulations required the City to develop a plan to expand or alter its wastewater facilities as the existing facility approached 50% of its capacity.

Mr. Jason Sciandra, CDM Smith, presented the Wastewater Treatment Plant Improvement Alternatives Evaluation, providing a brief history of the existing Wastewater Treatment Plant (WWTP) and its operational challenges. He stated two alternatives for improvements to the WWTP were developed, explaining certain parts of the current wastewater facilities were still acceptable. He stated Alternative Two would provide annual cost savings of approximately \$32,000, noting construction of Alternative Two cost approximately \$1 million more than Alternative 1. He explained the evaluation of economic and non-economic factors favored Alternative 2. He concluded CDM Smith recommended Alternative Two, outlining the next steps for the project.

City Manager Kunik stated water and wastewater were core services; thus, the City must proceed with improvements to the WWTP, explaining City Council's direction was required to enter negotiations to extend the City's lease with the Florida Fish and Wildlife Conservation Commission (FFWCC) for the WWTP property. He further requested direction to pursue Alternative Two so that the Finance Department could begin examining the impact of same on future utility rates.

Councilmember Cummings questioned how the improvements related to advanced wastewater treatment regulations.

Mr. Sciandra replied Alternative Two would partially address regulations for nitrogen and phosphorous, stating phosphorous removal would need to be evaluated if advanced wastewater regulations were established.

Mayor Prafke confirmed Alternative Two best addressed nutrient removal.

Councilmember Matthews inquired as to funding for the project.

Ms. Simeone replied impact fees, water utility bills, financing and grants would be explored.

Councilmember Matthews questioned when rates might be impacted.

Ms. Simeone replied a rate study was required to determine the timing of same.

City Manager Kunik stated the City would pursue a rate study following direction to pursue Alternative Two and begin lease negotiations with the FFWCC.

Mayor Prafke confirmed Alternative Two provided greater capacity and would be sufficient to accommodate properties in Phase One of the Septic to Sewer Master Plan.

Councilmember Cummings **MOVED** approval of Alternative Two, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

Councilmember Cummings **MOVED** to authorize CDM Smith to begin negotiations with the Florida Fish and Wildlife Conservation Commission for lease modification to construct Alternative Two, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

Recruitment Process for City Manager Position

Mr. Phil Wikstrom, Human Resources Manager, reviewed the proposed process for selection of a new City Manager, including the timeline, proposed salary range, application content, advertising, recruiting, short listing and the budget, requesting direction on certain aspects of the proposed process.

A discussion ensued regarding the process to conduct the search.

Consensus of City Council was to adopt the proposed pay range, make certain amendments to the job description, require the targeted questionnaire, shortlist seven applicants, have the shortlisted applicants tour City facilities and establish a community panel to meet with applicants, with each Councilmember selecting two panel members.

City Manager Kunik concluded the revised selection process would be available for City Council's approval at the February 5, 2020 meeting.

CITY ATTORNEY

City Attorney Levin reported the Court had ruled in the City's favor in Mr. Craig Ivey's challenge of the Special Exception which authorized a bed and breakfast at 751 West Retta Esplanade.

CITY CLERK

Confirmation of Charlotte County's Nomination to Community Redevelopment Agency

Deputy City Clerk Welch explained City Council confirmation of the appointment of Mr. William Dryburgh was needed.

Councilmember Cummings **MOVED** to confirm Mr. William Dryburgh, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals - Alternate

Deputy City Clerk Welch announced the vacancy.

Nominations

Code Enforcement Board - Alternate

Councilmember Matthews **MOVED** to nominate and appoint Mr. Roland Ericsson, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

POLICY AND LEGISLATION

PRAFKE: Reported she attended a Southwest Florida League of Cities meeting at the Collaboratory in Fort Myers on January 16, 2020, commenting positively on the use of pervious pavers in the parking lot at the facility.

CUMMINGS: Announced the Punta Gorda Historical Society received a grant in the amount of \$341,729 to restore the train depot.

CAREY: Stated the Punta Gorda Historic Mural Society would hold a fundraiser on Thursday, January 30, 2020, to celebrate the organization's 25th anniversary.

CITIZENS COMMENTS

None.

The meeting was adjourned at 1:03 p.m.

Mayor

City Clerk