

**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 5, 2018, 9:00 A.M.**

**COUNCILMEMBERS PRESENT:** Cummings, Keesling, Matthews, Prafke, Wein

**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; City Clerk Smith

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

Invocation was given by Mr. John Burrage, followed by the Pledge of Allegiance.

**PROCLAMATION/PRESENTATIONS**

**Introduction of New Police Officers**

Police Chief Pam Davis introduced nine Police Officers who had been hired over the past few months, recognizing Captain Norman Nahra and Lieutenant Chris Salsman for their work on the Police Department's recruiting campaign.

**Introduction of Board/Committee Member Nominees**

Mr. Sam Hoagland introduced himself as a nominee for re-appointment to an Alternate position on the Board of Zoning Appeals.

**Note:** City Council recessed and reconvened as the Community Redevelopment Agency (CRA) (see corresponding minutes).

**QUASI-JUDICIAL PUBLIC HEARINGS**

**PD-02-18 - An Ordinance of the City of Punta Gorda, Florida, amending the conceptual site plan previously adopted with Ordinance No. 1801-14, adding a new site specific plan for the westerly ½ of Lot 15, 4.52 +/- acres, generally described as 24420 Airport Road, Punta Gorda, Florida, and more particularly described in Exhibit "A" attached hereto, providing for certain modifications to the regulations applicable to the development; providing for conflict and severability; and providing an effective date.**

**FIRST READING**

City Attorney Levin read the ordinance by title.

Ms. Lisa Hannon, Zoning Official, displayed the proposed site plan for the subject development, as delineated in the agenda material, stating concerns regarding intended use, ingress/egress and building size had been addressed in the draft ordinance. She concluded the Planning Commission and staff recommended approval.

**Councilmember Matthews** inquired if the proposed housing would be affordable or subsidized.

Ms. Geri Waksler, applicant's attorney, explained the request was for an affordable apartment community, not restricted to seniors. She advised although the State would provide some funding in terms of subsidies, the development was not considered a Department of Housing & Urban Development community. She noted four units within the apartment complex would be allocated for public housing, adding the remainder would be open to the community at large contingent upon income requirements.

**Mayor Keesling** requested clarification regarding the language related to senior housing.

Ms. Waksler explained the units would not be age restricted as was the case for the adjacent development.

**Mayor Keesling** called three times for public comment.

Councilmember Prafke **MOVED** to close the public hearing, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

**Councilmember Matthews** inquired if conditional approval could be granted requiring the development to remain as affordable housing for its lifetime.

City Attorney Levin replied any change would require an ordinance amendment.

Councilmember Prafke **MOVED** approval of PD-02-18, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

#### ORDINANCE RESOLUTION

#### **No Public Hearing Required**

#### Citizen Comments – Ordinances/Resolution Items Only

None.

**GA-04-18 – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 15, “Offenses and Miscellaneous”, of the Punta Gorda Code, amending reserved Section 15-8, establishing security measure requirements for owners and operators of retail gas pumps; providing for conflict and severability and providing an effective date.**

**SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Matthews **MOVED** approval of GA-04-18, **SECONDED** by Councilmember Prafke.

**MOTION UNANIMOUSLY CARRIED.**

**GA-05-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 10, “Yard Waste, Solid Waste and Recycling”, Article II, “Solid Waste”, amending Section 10-11, increasing the monthly fee for removal and**

**disposal of curbside recycling services; providing for conflict and severability and providing an effective date.** **SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Matthews **MOVED** approval of GA-05-18, **SECONDED** by Councilmember Prafke.

**MOTION UNANIMOUSLY CARRIED.**

**CONSENT AGENDA**

A. Citizen Comments - Consent Agenda Items

**Councilmember Matthews** pulled Item D1.

**Councilmember Prafke** commented on Item D3, thanking the Punta Gorda Mural Society for their exemplary fundraising efforts and hard work.

Ms. Kelly Gaylord, Punta Gorda Mural Society, stated the mural project was anticipated to commence November 2018, adding the community's support was much appreciated.

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

**MOTION UNANIMOUSLY CARRIED.**

**ITEM D1:** **Councilmember Matthews** spoke in favor of The Nature Conservancy's project, requesting the letter of support incorporate language which ensured mangroves would not be allowed to grow above the seawall to ensure visibility from the land side.

Ms. Joan LeBeau, Urban Design Manager, responded same would be required as part of the permit.

Councilmember Matthews **MOVED** approval of Item D1, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of August 22, 2018

C. Legal Department

1. Monthly Litigation Report

2. Invoice of Allen, Norton & Blue, P.A. for legal services rendered through July 31, 2018

3. Invoices of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered through August 31, 2018

- D. Urban Design Division
1. Letter of Support for The Nature Conservancy's proposed "Tiki Point at Harborwalk Living Shoreline Pilot Project"
  2. A Resolution of the City Council of the City of Punta Gorda, Florida, as Local Host Agency for the Charlotte Harbor National Estuary Program (CHNEP), accepting grant funding from the Charlotte County Board of County Commissioners for the Adventures in Charlotte Harbor Watershed Project; authorizing the City Manager to sign the grant agreement and administer the grant on behalf of the City; appropriating grant award; and providing an effective date
  3. A Resolution of the City Council of the City of Punta Gorda, Florida, approving an ocean-themed mural to be installed on the wall of the US 41 Southbound Bridge Underpass in Florida Department of Transportation (FDOT) Right-of-way; authorizing Weiler Engineering to act on the City's behalf in securing FDOT approval; providing an effective date
  4. A Resolution of the City Council of the City of Punta Gorda, Florida, providing non-exclusive easements to Florida Power & Light Co. (FPL) for the construction, operation and maintenance of overhead and underground electric utility facilities in Gilchrist Park; authorizing the Mayor to execute the easements; and providing an effective date

**Citizen Comments – Regular Agenda Items Only**

Mr. Gary Skillicorn suggested using the former Punta Gorda Library (Library) as a community center for City residents.

Ms. Gaylord urged Council to consider allowing the Charlotte County Historical Center Museum to operate in the former Library structure.

Ms. Sheri Lenore stated she moved to Punta Gorda Isles (PGI) primarily due to the activities offered by the PGI Civic Association, suggesting the remainder of the community was vastly underserved in terms of a community center; however, she did not recommend the City undertake a new project at this time due to budget constraints.

**BUDGET**

**Award of Agreement for Actuary Services to Foster & Foster of Fort Myers, FL**

City Manager Kunik explained the Agreement was for ongoing actuary services to ensure compliance with Government Accounting Standards Board (GASB) 75 regulations.

Councilmember Wein **MOVED** approval, **SECONDED** by Councilmember Prafke.

**MOTION UNANIMOUSLY CARRIED.**

**Award of Master Agreement and Task 1 Services for a Comprehensive Engineering Analysis of the Infrastructure Requirement and Develop a Strategic Plan for the “Bethel–St. Mark Historic Overlay District” to Infrastructure Solution Services of Sarasota, FL**

Ms. Marian Pace, Procurement Manager, outlined the Request for Qualifications (RFQ) and selection process for this project, announcing a total cost of \$28,440 for Task 1/ Data Acquisition. She explained subsequent authorizations would adhere to a fixed rate schedule as the Master Agreement had been negotiated for five years.

Councilmember Cummings **MOVED** approval, **SECONDED** by Councilmember Wein.

**MOTION UNANIMOUSLY CARRIED.**

**Award of Amendment #1 for Engineering Services for the Construction Phase of the Jones Loop Force Main Project to Johnson Engineering Inc., in Accordance with Master Agreement U2015103**

Ms. Anne Heinen, Senior Purchasing Agent, stated Council approved the Master Agreement on January 18, 2018, advising Amendment #1 was prepared for construction services at a cost not to exceed \$195,760.

**Councilmember Matthews** questioned the role played by Johnson Engineering in conjunction with Giannetti Contracting Corporation (Giannetti), which would be presented under the following agenda item.

Ms. Heinen replied Johnson Engineering would provide oversight and close-out services for the project, review and make recommendations on shop drawings, review submitted change orders, sign and seal the as-builts for the close-out and finalize permits for the State regulatory agencies.

Councilmember Wein **MOVED** approval of awarding Amendment #1 to Johnson Engineering of Fort Myers, Florida, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

**Award of Agreement to Giannetti Contracting Corporation of Pompano Beach, FL for Construction of the Jones Loop Force Main Project**

Ms. Heinen recommended awarding of agreement to Giannetti for construction of the force main project, stating the cost of same totaled \$2,062,163.80. She further requested approval of a contingency budget of \$100,000 to be utilized by the Utilities Department for Change Orders for unforeseen construction conflicts or plan errors.

**Mayor Keesling** questioned whether Giannetti had worked on any prior City projects.

Ms. Heinen replied in the negative, noting the contractor had responded to all requests from the City with regard to references.

Councilmember Prafke **MOVED** approval, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

**Note: FY 2019 Strategic Plan was heard following Request to Utilize Public Parking Spaces on Dr. Martin Luther King, Jr. Boulevard for Construction Activities**  
**FY 2019 Strategic Plan**

City Manager Kunik outlined the intended purpose of the Strategic Plan and how same correlated with the City's budget process, stating numerous comments and suggestions were submitted from members of the community, all of which were denoted in the agenda material in italics. He reviewed each of the suggestions, listing those which Council might wish to pursue as follows: page 6, denote current policy of increasing reserves by 1/2% annually as a Goal; review drainage/swale program and devise future plan; page 6, add "through annexation" to already established Goal of strengthening the City's tax base to increase the commercial base; page 9, add sidewalks on West Marion Avenue from Chasteen Street to Fishermen's Village; page 11, replaced "use available technology" with "use social media"; page 11, add United Way under second Action Item; page 11, facilitate communication between PGHA, Affordable Housing Council and Gulf Coast Partnership; page 12, create apprenticeship program for high school students to introduce them to City and County government; obtain recap of efforts of non-profit organizations such as Charlotte Community Foundation, United Way of Charlotte County and Gulf Coast Partnership; page 16, add "and storm preparedness" to already established Goal to maintain the City's high safety rating and emergency response; page 16, complete implementation of Americans with Disabilities Act Transition Plan; page 17, explore dedication of bike lanes on Royal Poinciana in Burnt Store Meadows; page 17, replace Share The Lane signs with Bicycles May Use Full Lane signs; page 17, assist in creation of workforce housing alternatives; page 17, explore more boat ramps and kayak launching facilities; page 17, complete update to Parks & Recreation Master Plan; page 17, investigate cost of undergrounding electric lines crossing West Retta Esplanade; page 17, incorporate recommendations from Together Charlotte. He concluded staff would incorporate the proposed changes into the Strategic Plan for presentation at the next City Council Meeting.

#### **UNFINISHED BUSINESS**

##### **Ground Water Reverse Osmosis (RO) Water Treatment Plant Project Update**

Mr. Tom Jackson, Utilities Director, displayed a PowerPoint presentation on the RO Project, as delineated in the agenda material, reviewing work completed to date. He displayed photographs of the site location, adjacent to the existing Shell Creek Water Treatment Plant (WTP) facility, progress of excavation, blending basin and earthwork.

He concluded with a review of work scheduled for the upcoming quarter, including formation of the blending basin and trenches.

**Councilmember Matthews** questioned the anticipated operational date.

Mr. Jackson replied June 2020.

**Note: Ponce de Leon Park Redesign Services was heard immediately following Budget.**

#### **Ponce de Leon Park Redesign Services**

City Manager Kunik advised Weiler Engineering (Weiler) was unable to donate their services due to a misunderstanding regarding the amount of work completed by the previous volunteer engineering firm. He stated Weiler had offered to limit their donation to civic engineering services; however, based on additional needs, which were outlined in the agenda material, their donation would constitute less than 25% of the total engineering necessary to deliver construction plans and specifications. He clarified the City must move forward with the proposal process to select engineering and design services for the Ponce de Leon Park re-design project.

**Councilmember Wein** commented on the delay incurred as a result of the initial offer to donate engineering services.

Ms. Callie Stahl, Peace River Wildlife Center (PRWC) Executive Director, confirmed the PRWC's willingness to work with the City. She expressed hope the plans to completely raze Ponce de Leon Park, as proposed by the original engineering contractor, had been re-evaluated.

**Mayor Keesling** questioned the status of PRWC's plans for a new building.

Ms. Stahl replied same had been on hold contingent upon resolution of the engineering issues, stating planning would resume for establishment in Ponce de Leon Park, including a reduction in building size.

Ms. Pace opined a Request For Qualifications would likely be ready to issue by January 2019.

**Councilmember Matthews** asserted the PRWC was operating on a very tight timeline.

City Manager Kunik clarified the re-design of Ponce de Leon Park itself could proceed.

Consensus was for staff to move forward.

#### **NEW BUSINESS**

**Note: Request to Utilize Public Parking Spaces on Dr. Martin Luther King, Jr. Boulevard was heard following the RO Project Update.**

**Request to Utilize Public Parking Spaces on Dr. Martin Luther King, Jr. Boulevard for Construction Activities Related to the Charlotte County Justice Center Renovation**

City Manager Kunik explained Charlotte County's contractor had requested temporary use of six public parking spaces near the East Marion Avenue intersection, recommending approval as parking spaces existed on the other side of the former Punta Gorda Housing Authority (PGHA) property.

Ms. Dawn Balsamo, Ajax Construction, stated the renovation would entail approximately two years, confirming the area would be restored to its current condition upon completion.

**Councilmember Prafke** raised the possibility of installing signage on Milus Street denoting Harborwalk parking.

Ms. Finkle replied that area did not meet parking requirements.

City Manager Kunik suggested some type of makeshift sign could be put in place denoting the Harborwalk.

Councilmember Wein **MOVED** approval, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

**Note: A short break was called at 10:30 a.m.**

**Note: Future Use of Current Punta Gorda Library Facility was heard following Unfinished Business.**

**Discussion Regarding Future Use of Current Punta Gorda Library Facility**

City Manager Kunik stated the existing Punta Gorda Library (Library) was a Charlotte County facility; thus, the future use of the facility would be determined by the Charlotte County Board of County Commissioners (BOCC). He noted Council might wish to recommend an appropriate future use for the site/building, pointing out a few suggestions were denoted in the agenda material.

**Mayor Keesling** commented all of the suggestions were valid possibilities; however, the County would likely desire a monetary transaction with the City.

**Councilmember Wein** stated one Commissioner had expressed openness to a \$1 per year lease for perhaps a 3 year period.

**Councilmember Cummings** recalled discussion of an interest in transitioning the structure into a cultural heritage center, stating grant funding was available for same.

**Councilmember Prafke** pointed out the property deed indicated the City transferred the land to Charlotte County specifically for construction of a library, opining the property should revert back to the City if it would no longer be used as such.

Discussion ensued with regard to grant funding restrictions and other potential, future uses of the structure, including input from Ms. Gaylord and Ms. Martha Bireda. City Manager Kunik confirmed Council was not in favor of assuming responsibility for the building but supported some type of mixed use. He stated he would forward same to the County Administrator. He advised Council to be prepared to assume responsibility for the building if the County no longer required use of the space.

### **RECOMMENDATIONS FROM CITY OFFICERS**

#### **CITY MANAGER**

City Manager Kunik reminded everyone the first Budget Public Hearing would be held at 5:01 p.m. this date.

#### **CITY ATTORNEY**

City Attorney Levin provided a brief update regarding ongoing litigation.

### **BOARDS AND COMMITTEES**

#### **Announcement of Vacancies**

Board of Zoning Appeals Alternate

City Clerk Smith announced the vacancy.

#### **Nominations**

Board of Zoning Appeals (3)

**Councilmember Matthews** nominated all interested parties.

Board of Zoning Appeals Alternate

Councilmember Cummings **MOVED** to nominate and re-appoint Mr. Sam Hoagland, **SECONDED** by Councilmember Prafke.

**MOTION UNANIMOUSLY CARRIED.**

#### **Appointments**

Historic Preservation Advisory Board Alternate

Voting forms were distributed.

City Attorney Levin announced Ms. Adrienne Andreae had received the majority of votes and was thus appointed to the Board.

### **POLICY AND LEGISLATION**

**WEIN:** Commented West Coast Inland Navigational District grant funding was available, suggesting staff explore the possibility of same for Buckley's Pass. The meeting was adjourned at 1:05 p.m.

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Mayor

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City Clerk