

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MAY 17, 2017, 9:00 A.M.**

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

CITY EMPLOYEES PRESENT: Dave Drury, Finance; Rick Keeney, Mark Gering, Public Works; Tom Jackson, Utilities; Joan LeBeau, Lisa Hannon, Urban Design; Jason Ciaschini, Police; Ray Briggs, Jen Molnar, 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

National Safe Boating Week

Councilmember Matthews presented the proclamation, which was accepted by Mr. Mike Griffith, Coast Guard Auxiliary.

Hibiscus Day

Mayor Keesling presented the proclamation, which was accepted by Ms. Diane Munson, Mr. Stan Munson and Mr. Mike Haymans, Hibiscus Festival Committee.

Arbor Day Poster Contest

Mayor Keesling announced Ms. Heaven Baecke was the winner of the Mayor's Artistic Award.

Ms. Joan LeBeau, Interim Urban Design Manager, announced the winners of the Arbor Day Poster Contest as follows: Ms. Mia Flores, third place; Ms. Emma Lynn, second place; Mr. Harrison Darke, first place.

20 Year Service Award – Jason Ciaschini, Captain, Support Services

City Manager Kunik presented the award to Mr. Jason Ciaschini, Acting Police Chief, and spoke of his accomplishments and service to the City.

New Operation Cooper Street (NOCS) Presentation

Ms. Chris Zimmer, New Operation Cooper Street (NOCS), Board of Directors President, provided a detailed update of programs and activities at NOCS, as outlined in the agenda material, noting a \$103,000 grant from the William and Marie Selby Foundation would fund several renovation projects at the recreation center.

City Manager Kunik reported Avant Construction had been awarded the bid to complete the renovation work.

Florida Chapter APWA – Awards

Mayor Keesling announced the Public Works Department received the Florida Chapter of the American Public Works Association’s (APWA) Project of the Year award for the Vietnam Veteran’s Memorial Wall (structures under \$5 million).

Mr. Dick Carr announced the APWA had awarded Contractor of the Year to the late Mr. Wayne B. Goff of Goff Construction, Inc., for the project.

PUBLIC HEARINGS

ZA-02-17 – An ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”, Article 8, “Standards of General Applicability”, Section 8.13, “Soil Conservation”, Subsections (a), (c), (d)(1) and (g); and amending Article 12, “Landscaping Standards”, Section 12.4, “Types of Landscaping”, Subsections (d)(8)d. and (d) (8)e., providing allowance for rocks in side yards; providing for conflict and severability; and providing an effective date.

FIRST

READING

City Attorney Levin read the ordinance by title.

Ms. Lisa Hannon, Interim Zoning Official, explained the proposed ordinance amendment would allow rock in side yards between the front and rear architectural features of a home, noting the Planning Commission recommended approval contingent upon elimination of the requirement for professionally designed landscape plans; however, staff recommended approval of the amendment as originally drafted.

Mayor Keesling inquired if there was currently a charge for the permit.

Ms. Hannon replied there was currently no charge for these types of landscaping projects.

Discussion ensued regarding the need for design plans to be completed by a professional.

Ms. Hannon confirmed stepping stones were permitted but must be spaced appropriately to ensure proper drainage.

Mr. Ed Schuler inquired as to restrictions for installing rock.

Ms. Hannon responded installation required a permit, reiterating landscape designs must be completed by a landscape professional. She pointed out the purpose of allowing rock was to help drainage, noting the City Engineer had no objections to installing rock between two properties.

Mr. Schuler asserted the direction of the drainage was not addressed.

Mr. Mitchell Austin, Urban Design Planner, explained most configurations directed drainage toward the swale and then toward storm drains which discharged into the

canals. He stated from the front of the house, drainage should be designed to percolate into the soil and then run through the back yard toward the canal.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Mayor Keesling stated she was amenable to retaining the requirement for a professional landscaper to submit the permit application.

Discussion ensued with consensus to do so.

Councilmember Matthews **MOVED** approval of ZA-02-17, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

ZA-03-17 – An ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”; Article 11, “Sign Standards”, Section 11.3, “Permitted Signs”; amending Subsection 11.3(f) in its entirety, providing for flag pole height and clarifying residential use versus commercial use and providing for maintenance; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Hannon explained based on City Council direction and input from the Planning Commission, staff had developed an amendment to the sign regulations and recommended approval as presented.

Councilmember Matthews inquired if the City adhered to the United States Flag Code (USFC), noting when flags of two or more nations were displayed, same should be flown from separate poles at the same height. She stated one resident in Punta Gorda Isles (PGI) was displaying the American flag above a Confederate flag, inquiring if same was allowed.

Ms. Hannon replied staff did not regulate content.

City Attorney Levin explained the USFC was a guide to protocol rather than being Statutory, pointing out the City was simply addressing the manner in which flags were flown.

Ms. C. J. Metcalf questioned whether it was possible for the ordinance to reference the USFC, asserting it was necessary to respect the flag and what it stood for.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke suggested including wording which encouraged residents to follow the USFC rather than making it mandatory.

Mayor Keesling agreed, suggesting it be included at the beginning to make it more prominent.

City Attorney Levin stated the ordinance title was written to address flag poles and the difference between commercial and residential properties; however, staff could bring back an amendment with a properly advertised title.

Consensus was to do so.

Councilmember Prafke **MOVED** approval of ZA-03-17, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

City Attorney Levin advised it was possible to add language to paragraph (f)(8) indicating the City recommended adherence to the USFC.

Councilmember Prafke **MOVED** to reconsider ZA-03-17, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** to amend paragraph (f)(8) to state the City recommended adherence to the USFC, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

ZA-04-17 – An ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”; amending Article 16, “Application Review and Approval Requirements”, amending Section 16.10, “Application for Variance”, Subsection (l), amending definition of existing buildings to provide for relief for property owners needing to clear title; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Hannon explained based on City Council direction and input from the Planning Commission, staff had developed an amendment to the City’s variance application review and approval requirements in order to provide relief for new property owners when an initial construction survey did not match a later survey.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** approval of ZA-04-17, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

ZA-05-17 – An ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”; amending Article 8, Section 8.11 “Property Maintenance”, Subsections (a), (b), (c) and (d), clarifying the intent of those subsections; amending Section 8.11(e) 3., correcting a scrivener’s error; amending Punta Gorda Code, Chapter 9, “Public Nuisances”; amending Section 9-12, “Appearance and Maintenance Standards”, Subsections (a)(1), (a)(2), (a)(2)(b), (a)(2)(c) and (a)(3) concerning standards for exterior building walls; amending Section 9-12 by deleting Subsection (b) relating to rear and side walls and renumbering accordingly; amending the new Subsections 9-12 (b)(2) and (b)(3) for clarification purposes; deleting Subsection 9-12(d)(1) regarding display window areas; amending Subsection 9-12(d)(2) regarding display windows and incorporating said provisions in the new Subsection 9-12(b) as a new Subsection 9-12(b)(4); deleting Subsection 9-12(e) relating to canopies and awnings, and renumbering accordingly; amending new Subsection 9-12(c) providing for maintenance of roofs and roof structures; amending new Subsection 9-12(e) relating to maintenance of auxiliary structures; amending new Subsections 9-12(f)(1) and 9-12(f)(7) relating to maintenance of vacant lots; amending new Subsection 9-12(g) relating to temporary coverings; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Hannon explained this ordinance addressed a number of housekeeping issues relative to property maintenance and would provide clarification for improved interpretation of the City’s regulations for the benefit of the Code Compliance Officers.

Councilmember Prafke noted the reference to canopies and awnings as a subtitle was proposed to be removed from the new Section 9-12(b), requesting “canopies” be added within the subsection.

Councilmember Matthews inquired as to an appeal process for citations.

Ms. Hannon explained respondents received a Courtesy Notice which allowed 30 days to eliminate a violation, adding staff worked with property owners if additional time was needed.

Councilmember Matthews inquired how to determine what percentage of the roof was a problem, asserting it was subjective.

Ms. Hannon responded staff could do an aerial and attempt to calculate the square footage, adding staff understood there were difficulties; therefore, a “soft approach” was used in these matters.

Mayor Keesling opined 90 additional days after the courtesy notice was sufficient, concluding she was amenable to 20% with regards to the roof.

Councilmembers Wein and Prafke concurred.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of ZA-05-17, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

A resolution of the City Council of the City of Punta Gorda, Florida approving a substantial amendment to the 2016 Community Development Block Grant Action Plan for the City of Punta Gorda as amended by the City Council of the City of Punta Gorda, Florida, and providing for an effective date. **FIRST READING**

City Attorney Levin read the resolution by title.

Ms. LeBeau explained staff was requesting to withdraw the agenda item, noting the Community Development Block Grant Action Plan had been amended to expend unused funds of \$14,000 on meeting room furnishings for NOCS; however, the Department of Housing and Urban Development (HUD) indicated the furnishings would be ineligible for program funding. She stated HUD subsequently advised the furniture might be eligible based on special economic development activity criteria, and staff was awaiting additional information. She concluded it would be necessary to amend the Action Plan again to include the Fresh Market Garden funds as the City would be funding the project.

Councilmember Wein **MOVED** to table the resolution, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

QUASI-JUDICIAL PUBLIC HEARINGS

City Clerk Smith swore in the participants.

V-05-17 – Request for a variance by David Baker, Agent for Colony Point, Inc., pursuant to Chapter 26, Section 16.10, Punta Gorda Code, and Chapter 6, Section 6-28(b), Punta Gorda Code, to allow the existing condominium development to remove and reinstall an existing driveway structure that is 40.5 feet wide at the

entrance of the condominium development instead of a maximum of 24 feet wide, as is required per Chapter 26, Section 10.3(h)(7), Punta Gorda Code, and that said driveway is 2.3 feet from the property line abutting a waterway, instead of maintaining 6 feet of sod abutting the seawall as is required per Chapter 26, Section 3.13(e); Punta Gorda Code, for property located in the General Multi-Family, 15 units per acre (GM-15) zoning district and addressed as 1 Colony Point Drive.

LEGAL: Colony Point Condominium, as recorded in Condominium Plat Book 1, Pages 17S-17G, of the Public Records of Charlotte County, Florida. A/K/A: 1 Colony Point Drive, Punta Gorda, Florida CHARLOTTE COUNTY PARCEL ID: 412211551000

City Attorney Levin read the variance title.

Ms. Hannon displayed an overhead depicting the subject property, as delineated in the agenda material, reading the staff report into the record. She pointed out both the application and survey provided in the agenda material referenced "Variance A" and "Variance B", noting staff had originally understood the parking area was located within 6 feet of the seawall but subsequently learned it was 8 feet from the back of the seawall and 11.6 feet from the actual property line. She explained the parking lot was not in violation of City Code as it was not a vertical structure; thus, City Council need only review "Variance B" to allow the subject property to remain in the original footprint for safe access and egress for all vehicles, including emergency apparatus. She then reviewed the 8 criteria which must be met in order for a variance to be approved, per Section 26-16.10(b)(1)-(8), Punta Gorda Code, as well as staff's findings, conclusions and recommendations. She concluded staff recommended approval of the request.

Mayor Keesling confirmed the driveway needed to be replaced, inquiring as to the seawall condition.

Mr. Gary Disher, Public Works Analyst, reported there were condition issues, adding the seawall was not yet scheduled for replacement; however, it was currently being monitored. He pointed out replacement would impact the upland infrastructure using the current removal and reinstallation process.

Mayor Keesling inquired how replacement of the driveway would impact the seawall.

Mr. Disher replied he was uncertain as to the depths of the existing deadmen and whether they were helping to hold the wall in its current location.

Discussion ensued regarding the replacement of seawall panels.

Councilmember Wein stated he was amenable to approval of the variance; however, a straightforward plan was necessary to move forward.

Councilmember Prafke inquired why the entrance required the requested width.

Ms. Jennifer Molnar, Fire Marshall, explained the width was necessary to accommodate safe navigation for the long wheel base of emergency vehicles.

Councilmember Prafke inquired as to the need for the island.

Mr. Tom Jackson, Utilities Director, replied it contained a spaghetti network of piping which belonged to Colony Point.

Councilmember Cummings commented equipment utilized by airports to locate utilities under runways was minimally invasive and might be applicable in this case.

Councilmember Matthews inquired as to the time required for replacing the seawall.

Ms. Cathy Miller, Canal Maintenance Supervisor, replied it could be included in the 2018 work program, advising it would likely take 60 to 70 days to complete replacement of approximately 110 feet, depending on the construction methodology.

Mr. Dave Baker, Colony Point Condominium (CPC), stated they wished to retain the existing configuration if possible. He provided background information on CPC, noting the request was to remove the cracked asphalt and deteriorating subsurface and to rebuild it with interlocking pavers. He explained the parking lot was redesigned to minimize traffic congestion and improve traffic flow.

Mayor Keesling inquired if an engineer had reviewed the project, voicing concern regarding the depth needed to make the repairs.

Mr. Baker replied the work would be no deeper than 11.5 inches, adding Universal Engineering & Science Company had evaluated the configuration and advised what was necessary from a structural standpoint.

Mayor Keesling inquired if the engineer drilled under the brick pavers, which was an area of concern due to its proximity to the seawall.

Mr. Baker replied in the negative, adding the intent was to remove the pavers to determine what was underneath.

Councilmember Wein inquired if the plumbing could be cleaned up so the island could be removed.

Mr. Baker reiterated CPC wished to retain the configuration for the safety of residents exiting the development; however, the issue could be discussed.

Councilmember Prafke inquired as to a timeframe for completing the work.

Mr. Baker replied work would begin in three weeks on portions not affected by the variance.

Councilmember Prafke stated the City could not perform work on the seawall until 2018; thus, the projects would be out of sync. She then stated removing the island would provide additional space for repair of the seawall.

Ms. Sheri Robinson, Colony Point Association President, stated the sign identified the property, noting there were plans to install security gates. She reiterated they would be willing to discuss a reconfiguration of the island, adding completing the project could be postponed until after the seawalls were replaced if the City committed to replacing them in 2018.

Councilmembers expressed agreement with doing so.

Mr. Mark Gering, City Engineer, stressed it would be a hardship to maintain emergency access to the front entrance as it would be partially blocked during repairs, requesting the island be removed.

Councilmember Wein suggested eliminating the island in the short term for seawall construction and modifying the configuration of the island for the future.

Ms. Robinson agreed.

Councilmember Wein confirmed staff could replace the seawall in 2018.

Ms. Miller advised the pedestal and retaining wall would be removed at CPC's expense.

Mr. Baker stated the retaining wall prevented individuals from driving into the canal.

Ms. Miller clarified the retaining wall could be replaced but would require a variance.

Mayor Keesling voiced approval of including the seawall in the 2018 work plan, suggesting the applicant take the time to develop a new island configuration.

Ms. Robinson agreed.

Ms. Hannon advised security gates would likely require an additional variance.

Ms. Robinson acknowledged same. She then stressed it was necessary for the project to be completed when the fewest number of people were in residence.

Ms. Miller agreed, suggesting the work be completed during the summer months.

Ms. Hannon advised City Council could designate specific timeframes for the variance.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

City Attorney Levin suggested continuing this matter to the next meeting to allow staff to work with the applicant on the appropriate conditions for coordination purposes.

Councilmember Wein **MOVED** to continue the deliberations on V-05-17 to the June 7, 2017 meeting, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

NOTE: A short recess was called at 11:00 a.m.

ORDINANCE/RESOLUTION

No Public Hearing Required

Citizen Comments – Ordinances/Resolution Items Only

None.

GA-01-17 – An Ordinance relating to the provision of services, facilities, programs and local improvements in the City of Punta Gorda, Florida; authorizing the imposition and collection of assessments against property within the incorporated area of the City of Punta Gorda; providing certain definitions and defining the terms "assessment," "service assessment," and "capital assessment"; providing for the creation of assessment areas; establishing the procedures for imposing assessments; establishing procedures for notice and adoption of assessment rolls; providing that assessments constitute a lien on assessed property upon adoption of the assessment roll; providing that the lien for an assessment collected pursuant to Sections 197.3632 and 197.3635, Florida Statutes, upon perfection shall attach to the property on the prior January 1, the lien date for ad valorem taxes; providing that a perfected lien shall be equal in rank and dignity with the liens of all State, County, District, or municipal taxes and assessments and superior in dignity to all other prior liens, mortgages, titles, and claims; authorizing exemptions and hardship assistance; providing procedures for collection of assessments; providing a mechanism for the imposition of assessments on government property; authorizing the issuance of obligations secured by assessments and providing for the terms thereof; providing that the City's taxing power shall not be pledged; providing remedies; deeming that pledged revenues shall be considered trust funds; providing for the refunding of obligations; providing for severability; providing for codification; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Councilmember Prafke **MOVED** approval of GA-01-17, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

GA-03-17 – An ordinance of the City of Punta Gorda, Florida amending Chapter 15, Ordinances and Miscellaneous Provisions; adding a new Section 15-48, “Control Of Access To City-Owned, Controlled, and Leased Property”; providing for recognition that certain areas of City-owned, controlled, and leased property may require regulation of public access to provide for the security and privacy Of public visitors, to provide for the security and privacy of City employees and

officials, and to minimize potential disruptions to the work of City government; providing the City Manager with the authority to manage public access to City-owned, controlled, and leased property; providing the City Manager with the authority to designate which areas of City-owned, controlled, and leased property are to be considered “designated public forum”, “limited designated public forum”, and “nonpublic forum”; authorizing the City Manager to separate designated public forums from nonpublic forums; authorizing the City Manager to develop and implement procedures to regulate and control public access to City-owned, controlled, and leased property; prohibiting the unconsented recording of video and audio within City-owned, controlled, and leased property, except during public meetings; providing for enforcement; providing for conflicts; providing for severability; and providing an effective date. **SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Prafke **MOVED** approval of GA-03-17, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items

None.

Councilmember Matthews inquired whether more than one sign was necessary for the Community Garden.

Ms. LeBeau responded one sign for the front entrance had been requested, pointing out the other entrance was difficult to access; however, she could advise the applicant an additional sign was allowed if needed.

Councilmember Matthews **MOVED** approval of the Consent Agenda with the exception of Item D2, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** approval of Item D2 with an amendment to allow installation of two signs, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of May 3, 2017

C. Legal Department

1. Invoices of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered through May 8, 2017.

D. Urban Design Division

1. A Resolution of the City Council of the City of Punta Gorda, Florida, repealing Resolution No. 3232-16 and approving the Updated Interlocal Agreement for Coordinated Planning and School Concurrency (May 2017) between the City of Punta Gorda, Charlotte County, and School Board of Charlotte County, Florida; authorizing the Mayor to execute the Interlocal Agreement on behalf of the City; providing for conflict and severability; and providing an effective date.
2. History Park Community Garden Sign

NOTE: Item VII A, Veteran's Park Phase II Design Concept was heard prior to Item IV, Citizen Comments.

Citizen Comments – Regular Agenda Items Only

Mr. Ellison Haddock, Trabue Woods United Association (TWUA), stated TWUA was eager to begin the Fresh Market project, requesting installation of a canopy or shade solar structure over the tables in Bailey Brothers Park.

Mr. Bill Hughes, Burnt Stores Isles (BSI) Canal Advisory Committee Chairman, stated the waterfront property owners in BSI were funding the maintenance dredging of the perimeter canal, and certain owners in BSI were funding a project to move electrical wiring underground, suggesting the property owners in PGI should fund the additional harbor access project.

BUDGET

Agreement award to Brance Diversified, Inc. of Jacksonville, FL for maintenance dredging of the perimeter channel located in the Burnt Store Isles (BSI) subdivision to Brance Diversified, Inc. of Jacksonville, FL.

Ms. Marian Pace, Procurement Manager, recommended awarding the agreement to Brance Diversified, Inc., the lowest bidder.

Discussion ensued regarding the qualifications of the bidder.

Councilmember Prafke **MOVED** approval of awarding the agreement to Brance Diversified, Inc., **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Trabue Woods Fresh Market & Garden – Resolution, Agreement & Funding

Ms. LeBeau recalled City Council had rejected the bids for the Fresh Market & Garden in favor of rebidding the project using City funds, adding the resolution and agreement to accomplish the project were included in the agenda materials along with a request for funding in the amount of \$5,000 for start-up during the first year as well as for operation and maintenance during each of the following two years.

City Attorney Levin read the resolution by title.

Councilmember Prafke inquired as to the status of the bid package, questioning whether the project would be ready in time for the fall planting season.

Ms. LeBeau replied affirmatively, noting the bid would be out on the street for 21 days.

City Manager Kunik confirmed Urban Design staff would oversee the project.

Councilmember Prafke **MOVED** approval of the resolution, agreement and appropriation of funds, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Renovation of the City Council Chambers

Ms. Pace explained staff was seeking an appropriation of up to \$28,000 for the current fiscal year for the first phase of a project to renovate City Council Chambers, briefly reviewing a list of items to be completed, as delineated within the agenda materials. She noted additional projects had been discussed for a second and third phase of renovation within certain areas of City Hall and the City Hall Annex; however, no budget had been developed for those phases as of this time.

City Manager Kunik stated discussion of the second and third phases was a conversation for Fiscal Year 2018. He requested Council determine whether to move forward with phase one during Council's Summer break.

Mayor Keesling provided additional background information on the impetus for the improvements, noting the Council Chambers configuration was not ideal as people were forced to enter the front of the room when a meeting was in progress. She stated new seats would allow a variety of room configurations, adding the hallway could be used for art displays. She stated some existing items, such as the historical photographs, could be grouped into a single exhibit area. She concluded the purpose was to freshen and improve the facilities.

Discussion ensued with concerns expressed regarding a straight dais and room orientation.

Mr. Austin advised the City's consultant would be creating an Americans with Disabilities Act transition plan for all facilities by mid-Summer, adding same would identify what could be accomplished within the current Council Chambers footprint.

Ms. Pace noted the Fire Marshall had also expressed concern regarding clear pathways.

Mayor Keesling announced the area just outside the corner door would be converted to a video room, opining all City board meetings should be videotaped.

Councilmember Prafke agreed, adding she was in favor of keeping up with technology as well as a more welcoming room configuration.

Mayor Keesling stated additional options for future phases would be provided in the future.

Councilmember Matthews **MOVED** approval of phase one and an appropriation of funds, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

Award of Amendment #1- Phase 2 Design, Permitting and Bidding Services to Kimley-Horn Associates, Inc. in accordance with the Master Agreement U2015101/ Boca Grande Drainage Improvements.

Ms. Pace stated staff recommended approval of Amendment #1 to the Master Agreement with Kimley-Horn Associates, Inc., for services to complete Specific Authorization #2 for the Boca Grande drainage improvements project for a total not to exceed \$231,120, adding it was anticipated the work would be completed in 319 calendar days.

Councilmember Prafke **MOVED** approval of Amendment #1 to Kimley-Horn Associates as presented, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

UNFINISHED BUSINESS

Domesticated vs. Non-Domesticated Animals in Residential Districts.

Ms. Hannon explained staff had been directed to review portions of Chapter 5 as it related to restricting non-domesticated animals.

City Attorney Levin stated he did not recall any detailed discussion by City Council regarding this matter; therefore, he wished to ensure staff received clear direction before drafting an amendment to differentiate between types of animals. He stated if there was concern about raising animals which were not customarily pets, the Code would prohibit same; thus, there was no need to define what animals were acceptable versus those which were not.

Mayor Keesling recalled staff had received questions from residents regarding growing crops and raising animals such as chickens, pigs and goats.

Discussion ensued with consensus not to move forward with an amendment.

NEW BUSINESS

NOTE: Item VII A, Veteran's Park Phase II Design Concept was heard prior to Item V, Budget.

Veteran's Park Phase II Design Concept

Mr. Frank Mazur suggested installing a cap along the freestanding mural wall, noting no funds had been budgeted for the mural. He requested a memorial garden be included.

Mr. Carr voiced endorsement of the design concept.

Mr. Arthur McGinnis voiced support for the concept, suggesting one parking space be designated for Purple Heart recipients.

Mr. Austin displayed a PowerPoint of the Veteran's Park Phase II Proposal, as delineated in the agenda materials, providing a detailed review of the design concept, which included additional parking and streetscape, an honor walk with a mural wall plaza, a donor plaza and gazebo ceremonial plaza.

Mayor Keesling inquired if the existing donor plaques would be moved to the donor plaza area.

Mr. Austin replied the plaques at the fountain would remain in their current location. He reported the initial cost estimate was \$450,000, noting after development of the construction documents, a better estimate would be available.

Mayor Keesling inquired as to tree removal.

Mr. Austin replied one tree and several sabal palms would be removed.

Councilmember Prafke asked whether bicycle racks could be installed near the entrance.

Mr. Austin responded the proposal would include at least two locations for bicycle racks.

Councilmember Prafke inquired whether a shade structure could be installed over the area near the gazebo.

Mr. Austin asserted same would prevent the planting of trees and would obscure the view of the gazebo.

Councilmember Prafke inquired as to restoring the Punta Gorda Garden Club's gardens, water and irrigation.

Mr. Austin replied those discussions had been put on hold.

Mayor Keesling inquired as to funding.

City Manager Kunik responded the Special Use Fund might be a resource; however, the first priority for those funds was Ponce de Leon Park.

Mayor Keesling inquired if engineering could be completed in-house.

Mr. Gering replied affirmatively.

Consensus was to keep the project moving forward.

Councilmember Prafke inquired if it would be possible to eliminate a parking space in front of the Harborwalk Condominium driveway to increase visibility of oncoming traffic on Nesbit Street.

Mr. Austin replied affirmatively, adding staff could explore options for special parking space designations.

Councilmember Prafke inquired as to including funds for replacement of the mural.

Mayor Keesling voiced concern regarding a commitment to an unknown cost; however, she would be amenable to 50% funding.

Ms. Kelly Gaylord, Mural Society President, stated now that the size of the wall was known, design of the mural could begin; thus, a cost figure would be available in the future.

Councilmember Matthews opined the mural should be approved separately, adding she was amenable to contributing funds toward replacement.

Councilmember Wein agreed.

Councilmember Prafke inquired as to including a memorial garden for the placement of veterans' ashes.

Mr. Austin stated a memorial garden was a place to scatter ashes rather than for storage of urns or vessels, adding staff could explore those options.

Discussion ensued with consensus for staff to provide additional information regarding the possibility of a memorial garden.

NOTE: Item VI A, Domesticated vs. Non-Domesticated Animals in Residential Districts was heard prior to Item VII B, FPL SolarNow Program

Florida Power and Light (FPL) Solar Now Program

Ms. Charlotte Miller, FPL External Affairs, stated FPL was proposing installation of solar facilities at no cost to the City.

Ms. Kathleen Campanella, FPL SolarNow Project Manager, displayed a PowerPoint presentation on the SolarNow Program, as delineated within the agenda material, providing a brief overview, explaining customers were given the option of contributing \$9 per month to support the development of small scale solar in their communities. She stated FPL installed, operated and maintained the solar projects. She stated the City was being asked to provide locations for the structures which were highly visible public places to bring awareness to the solar energy structures. She described various solar applications proposed for Laishley Park, noting all of the structures met wind load ratings of 170 miles per hour. She concluded Hector House Plaza and Bailey Brothers Park were also identified as possible locations.

Councilmember Prafke opined the solar lifts and curves did not fit well with the City's character.

Councilmember Wein agreed. He suggested solar applications be incorporated into the Gilchrist Park and Ponce de Leon Park renovations.

Ms. Campanella pointed out FPL's pilot program had been approved by the Public Service Commission (PSC) only for the current year, adding FPL hoped to receive approval to continue; however, it was urgent that locations be identified in order to

meet deadlines for the current year. She stated if City Council preferred the canopies for Laishley Park, shade structures could be installed at Hector House Plaza and Bailey Brothers Park which were smaller and required less coverage. She confirmed the structures were customizable.

Councilmember Prafke stated she liked the idea of the charging station.

Mayor Keesling agreed, adding she preferred the small picnic table look rather than just a single tree.

Ms. Campanella stated the design of the tree could not be changed at this time, adding a shading structure was possible in the smaller parks; however, the chargers were not offered with same.

Mayor Keesling stated she was amenable to canopies at the smaller parks.

Mr. Austin suggested staff work with FPL to develop proposals for the small parks to allow FPL to meet their deadlines.

Consensus was for staff to do so.

City Manager Kunik drew members' attention to the agreement, stating if City Council was in favor of moving forward, the locations to be voted on included the shade structure over the stadium seating at the interactive fountain, a shade structure over the Walley Stage, two solar panels on the pavilions in Laishley Park, a shade structure over the chess tables at Hector House Plaza and a shade structure over one of the bench areas at Bailey Brothers Park.

Councilmember Matthews inquired if the solar structures could withstand a hurricane.

Ms. Campanella responded this was the first time the products were being used in Florida; however, there was much testing and evaluation data available. She stated FPL would repair the structure if it was damaged by a hurricane.

Councilmember Wein clarified the concern was the structure causing damage as a result of flying debris rather than the structure itself being damaged. He then inquired how often the panels needed to be cleaned.

Ms. Miller replied larger scale solar project panels required little maintenance.

City Attorney Levin inquired whether future funding was at risk as this was a pilot project, questioning FPL's ability to provide funding for the 15 year term of the agreement.

Ms. Campanella responded if the pilot was not continued, FPL had committed to utilizing its own funds to maintain structures which were already installed.

City Attorney Levin pointed out the contract was not contingent upon the availability of funds; therefore, it should be understood that FPL was obligated for the term of the agreement even if the pilot project was terminated.

Ms. Campanella agreed.

Mr. Haddock inquired as to the use of the energy collected.

Ms. Campanella responded the program was funded by customers; therefore, the energy went back to the grid to benefit all customers, adding more installations would reduce everyone's energy bill.

Councilmember Cummings **MOVED** approval of the solar installations and locations as identified by the City Manager, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals Alternate

Building Board

Building Board Alternate

Board of Zoning Appeals

Punta Gorda Isles Canal Advisory Committee

City Clerk Smith announced the vacancies.

Nominations

Building Board

Councilmember Matthews **MOVED** to nominate and appoint Mr. Timothy Meyer, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

Punta Gorda Housing Authority

Councilmember Matthews **MOVED** to nominate and appoint Ms. Carol Brodeur, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

POLICY AND LEGISLATION

KEESLING: Announced a Jammers fundraiser would be held on Saturday, May 20, 2017, at Bowland, adding proceeds would pay for uniforms and supplies for the approximately 80 Summer participants.

PRAFKE: Announced she would seek re-election for another term on City Council.

WEIN: Announced he would seek re-election for another term on City Council.

- Voiced concern there were 18 to 20 different signs near the Maud Street/Marion Avenue intersection.

Mr. Gering advised two white signs with black lane arrows were being removed. He stated Charlotte County did not stock five by three signs; therefore, the installed signs were only four feet by three feet. He acknowledged the signs for the Military Heritage Museum and Peace River Wildlife Center remained in that area, inquiring if same should be relocated.

Councilmember Wein replied affirmatively, requesting less sign clutter.

Mr. Gering confirmed Council was amenable to removing the “Duck Crossing” signs.

Mayor Keesling suggested moving the Military Heritage Museum signs to the same pole as the Fishermen’s Village sign.

Mr. Gering agreed to research the possibility of doing so.

Discussion ensued regarding signage.

CUMMINGS: Announced Emancipation Day would be celebrated at the Blanchard House Museum on Saturday, May 20, 2017, from 2:00 p.m. to 4:00 p.m.

The meeting was adjourned at 1:00 p.m.

Mayor

City Clerk