



**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 6, 2011 9:00 A.M.**

**COUNCILMEMBERS PRESENT:** Goldberg, Albers, Wallace, Friedman, Keesling

**CITY EMPLOYEES PRESENT:** Dave Drury, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Dennis Murphy, Growth Management; Tom Lewis, Police; Robert Hancock, Fire; City Attorney Levin; City Manager Kunik; City Clerk Foster

**Mayor Goldberg** 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**

**Autism Awareness Month**

**Mayor Goldberg** presented the proclamation to Ms. Maureen Morris.

**Zonta Yellow Rose Day**

**Councilmember Keesling** presented the proclamation, which was accepted by Ms. Judi Wilson.

**National Telecommunications Week**

**Councilmember Wallace** presented the proclamation.

Ms. Nancy Morris and Ms. Gloria Sepanik accepted same on behalf of the Punta Gorda Police Department.

**Parliamentary Law Month**

**Councilmember Albers** presented the proclamation to Mr. Dave Gruman.

**Water Conservation Month**

**Councilmember Friedman** presented the proclamation, which was accepted by Mr. Tom Jackson, Utility Director.

**Fair Housing Month**

**Mayor Goldberg** presented the proclamation to Mr. David Hilston, Urban Design Manager.

**NOTE: City Council recessed and reconvened as the Community Redevelopment Agency. (See corresponding minutes)**

## PUBLIC HEARINGS

GA-09-11 - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 11, "Punta Gorda Development Impact Fees", Section 11-8, "Imposition of Impact Fees", Punta Gorda Code, suspending police, fire and general governmental impact fees and impact fees for changes in use for a period of two years; amending Section 11-9, "Calculation of Impact Fee and Impact Fee Schedules"; Subsection (b); deleting Subsections (c) and (d) in their entirety; amending Chapter 11a, "Punta Gorda Affordable Housing Impact Fee Incentives", Punta Gorda Code, Sections 11a-2(f) and 11a-9(a), extending repayment under the Rental Affordable Housing Impact Fee Installment Payment Program from three years to five years; amending Chapter 11b, "Punta Gorda Economic Development Incentives", Punta Gorda Code, Section 11b(a), extending repayment under the Economic Development Installment Payment Program from three years to five years; providing for conflict and severability and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

City Manager Kunik explained same would facilitate the suspension of police, fire and general governmental impact fees for a period of two years, as well as increase the repayment of the economic development installment payment program from three to five years. He concluded staff was seeking proposals for a consultant to review the methodology and rate schedule.

**Councilmember Albers** pointed out the reduction exposed the City to having to utilize ad valorem taxes for projects that would otherwise be funded by impact fees.

**Councilmember Friedman** concurred with that concern, opining there was no information to indicate lower impact fees would bring in more businesses. He pointed out the few vacant properties that could have construction requiring impact fees, adding there were less than that within Charlotte County. He concluded the general taxpayer should not subsidize business.

**Councilmember Keesling** stated she viewed the reduction as a compromise until the review of rates and methodology was completed.

**Mayor Goldberg** stated he viewed same as a show of faith toward the economic organizations who had recommended same. He pointed out the reduction was limited to two years.

**Councilmember Albers** confirmed the ordinance would sunset in two years.

Discussion ensued with regard to the reduction in rates for roads and parks to the 2007 level.

**Councilmember Friedman** reiterated his opposition to the taxpayer subsidizing same.

Ms. Suzanne Graham, Charlotte-Desoto Building Association, questioned how much was being collected currently for roads and parks, pointing out same must be expended within seven years. She pointed out the census demonstrated growth was stagnant in Punta Gorda.

Ms. Dorothy Strunk, Punta Gorda Chamber of Commerce (PGCC), stated they could accept same as a compromise.

Councilmember Friedman **MOVED** to close the public hearing, **SECONDED** by Councilmember Albers.

**MOTION UNANIMOUSLY CARRIED.**

City Manager Kunik advised the City collected \$8,206 in parks, \$59,745 in transportation during fiscal year 09/10. He stated projected fees for fiscal year 10/11 were \$6,000 in parks and \$58,000 in transportation.

**Councilmember Friedman** pointed out the City was expending ten times the amount collected from impact fees, adding same demonstrated the difference was paid from the general fund. He reiterated his concern with the reduction in road and park impact fees.

**Councilmember Albers** suggested the three funds discussed previously be suspended with the reduction in roads and parks being delayed until the review of rates was completed.

**Councilmember Wallace** acknowledged this action would not solve the entire economic slow down; however, he felt same was a start and would encourage new business.

Councilmember Wallace **MOVED** approval, **SECONDED** by Councilmember Keesling.

**VOTING AYE: Keesling, Wallace, Goldberg.**

**VOTING NAY: Albers, Friedman.**

**MOTION CARRIED.**

#### **QUASI-JUDICIAL PUBLIC HEARINGS**

**V-04-10 – Pursuant to City of Punta Gorda Code of Ordinances, Chapter 26, Article 16, Section 16.8., this is a request for a variance to allow three (3) driveways to enter a single street from a single parcel instead of two (2) driveways as permitted by City of Punta Gorda Code of Ordinances, Chapter 26, Article 10, Section 10.3(h)(10) to provide ingress/egress access to a proposed garage to be constructed on the parcel. LEGAL: Block 260, Lot 25, Punta Gorda Isles Section 15 of the Public Records of Charlotte County, Florida. A/K/A 3541 Tripoli Blvd, Punta Gorda Florida.**

Continued from December 15, 2010

City Attorney Levin presented the request for driveway. He provided a brief description of quasi-judicial proceedings with regard to testimony and the burden of proof.

City Clerk Foster swore in all participants.

Ms. Teri Tubbs, Zoning Official, stated V-04-10 was initially discussed on June 16, 2010 and continued on December 15, 2010 to allow the Burnt Store Isles (BSI) Civic Association Architectural Review Board to make a decision on the request. She entered her staff report into the record, as delineated in the agenda material.

Mr. John Wiley, applicant, advised he was seeking approval to construct a third driveway on his property. He provided a brief timeline of the process leading up to this date, stating he had revised his request to reduce the size of the structure and relocate the doors to the side in response to comments made by neighboring residents. He stated his third proposal answered any complaints and was well within the deed restrictions, thus any objection by the BSI Association were inaccurate as many similar situations existed within BSI. He stated the BSI had requested City Council deny the variance request in light of their denial, adding he felt they did not feel he would seek legal redress. He stated he felt he was being singled out and discriminated against. He requested approval of the variance request as he wished to move forward with his project if so approved by BSI, adding if he were not successful, the variance would not be necessary.

**Mayor Goldberg** noted different designs had been shown, inquiring which was being requested this date.

Mr. Wiley stated he felt the second design with the garage doors on the side was preferred; however, as it was denied by BSI, he felt the third design was the preferred one at this time.

Discussion ensued with regard to the driveway design as included in the application.

City Attorney Levin stated any approval should be based on the design denoted in the application.

Mr. Charlie Council, BSI Association, stated he felt the decision should be based solely on the request for a driveway rather than on any testimony regarding the BSI Association's actions. He voiced concern that approval of the variance would allow the driveway to be constructed without any structure, adding he felt the variance should not be approved prior to the decision by the BSI Association.

**Councilmember Albers** suggested approval of the driveway could be contingent upon it not being constructed until the structure was completed.

**Mayor Goldberg** inquired if the City's code allowed a driveway to be constructed on a vacant lot without a structure.

Ms. Tubbs responded she did not feel same would be permitted.

Mr. Wiley commented he would not construct a driveway without the structure.

Councilmember Albers **MOVED** to close the public hearing, **SECONDED** by Councilmember Friedman.

**MOTION UNANIMOUSLY CARRIED.**

Councilmember Keesling **MOVED** approval conditioned upon the driveway attaching to a structure, **SECONDED** by Councilmember Albers.

Councilmember Keesling **AMENDED** the **MOTION** to state the structure would be constructed prior to the driveway.

Councilmember Albers **AMENDED** the **SECOND**.

**MOTION UNANIMOUSLY CARRIED.**

**ORDINANCE/RESOLUTION**

**No Public Hearing Required**

**ZA-01-11 - An Ordinance of the City of Punta Gorda, Florida, amending, Chapter 26, Punta Gorda Code, known as "The Land Development Regulations", amending Article 3, Section 3.13(m), Punta Gorda Code, relating to the permitted hedge height and permitted fence material in the Special Residential Overlay District; amending Article 8, Section 8.5, Punta Gorda Code, relating to the permitted hedge height and permitted fence materials in single family residential zoning districts throughout the city; providing for definitions; providing for hedge maintenance; providing for conflict and severability; and providing an effective date.**

**SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Albers **MOVED** approval, **SECONDED** by Councilmember Keesling.

**MOTION UNANIMOUSLY CARRIED.**

**ZA-03-11 - An Ordinance of the City of Punta Gorda, Florida, amending, Chapter 26, Punta Gorda Code, known as "The Land Development Regulations", Article 10 "Parking and Loading", Section 10.6, "Parking in the CC District", relating to parking exemptions for buildings of a certain footprint size for new development, allowing an exemption for required parking to be provided on-site; providing for conflict and severability; and providing an effective date.**

**SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Albers **MOVED** approval, **SECONDED** by Councilmember Friedman.

**Councilmember Keesling** announced she had a conflict of interest and would not be voting. (Form 8B, Voting Conflict attached hereto)

**MOTION UNANIMOUSLY CARRIED.**

## CONSENT AGENDA

**Councilmember Friedman** pulled item C-2, stating he had no question with regard to the need for vehicles, but rather with the lease itself. He stated the lease rate was not denoted, adding he questioned why a three year lease was being considered for a vehicle which would be typically used for a ten year period. He stated he felt a more desirable lease term should be sought.

City Manager Kunik stated the interest rate was 1%, explaining funds did not exist within the general fund; however, an interfund loan from the utility fund could be undertaken to purchase the vehicles.

**Councilmember Friedman** stated a purchase was preferable.

Consensus of members was to agree.

Councilmember Albers **MOVED** approval of the remainder of the consent agenda, **SECONDED** by Councilmember Wallace.

### **MOTION UNANIMOUSLY CARRIED.**

#### **A. City Clerk's Department**

1. Approval of Minutes: Regular Meeting of March 16, 2011
2. Approval of Minutes: Town Hall Meeting of March 3, 2011
3. Approval of Minutes: Workshop of February 25, 2011

#### **B. City Manager's Department**

1. Updated Plan Sponsor Documents for Nationwide Retirement Solutions

#### **C. Finance Department**

1. Agreement award to Marine Contracting Group Inc of Punta Gorda, Florida for replacement of seawalls in PGI and BSI. Award is based on the City's Local Vendor Preference Policy.
2. Lease (36 month term) of two (2) 2011 Chevrolet Cruze sedans from Palm Auto Mall of Punta Gorda, FL to replace existing Code Compliance vehicles.
3. Renewal of Lease with Black Widow Harvey-Davidson of Port Charlotte for the 2 existing Harley Davidson motorcycles issued to the Police Department.

#### **D. Legal Department**

1. Monthly Litigation Report
2. Affidavits of Compliance & Release of Code Enforcement Liens - 2543 Brazilia Court
3. Renewal of City Attorney Agreement
4. Invoice of the Farr Law Firm for services rendered in February 2011
5. Invoice of Allen, Norton & Blue, P.A. for services rendered in February 2011

## UNFINISHED BUSINESS

## Value Engineering Options for Linear Park III (Olympia to Shreve) & Linear Park II (Shreve to US 41)

Mr. Dennis Murphy, Growth Management Director, displayed a PowerPoint presentation, as delineated in the agenda material, while providing detail on elements of the parks to be eliminated or delayed as follows: Linear Park III – elimination of bocce courts, trail head parking, perimeter block work and compass roses at Shreve Street intersection and hibiscus brick work at same intersection. He stated elimination of all elements would provide for a Multi-Use Recreational Trail (MURT) at a total of \$230,000.

**Councilmember Wallace** inquired if the shared parking at Five Star Realty could be utilized for trail head parking.

Mr. Murphy stated same would require a crosswalk midblock.

City Manager Kunik stated the parking was needed mainly for people using the bocce courts, adding with the elimination of same, the parking was not necessary at this time. He stated he felt the key decision was whether to address the intersection.

Mr. Murphy then provided detail of Linear Park II as follows: elimination of all exercise areas, trail head parking, brick cross walks and compass roses at intersections, stating same would leave a total project cost of \$1,080,111. He noted the elimination of intersection improvements in Linear Park III would require \$32,000 to be added back into Linear Park II costs as well as \$40,000 in design costs.

**Councilmember Albers** pointed out the intersection improvements would be necessary in some form to denote where the path would go.

**Mayor Goldberg** acknowledged reductions in Linear Park III could provide Linear Park II to be constructed sooner to provide connectivity, adding if Linear Park III was constructed without Linear Park II would provide access along Virginia Avenue; however, it would be a challenge once it reached US 41.

**Councilmember Albers** inquired if Metropolitan Planning Organization (MPO) funding might be available within twelve months.

**Councilmember Friedman** opined same was doubtful in the short term; however, it may be available in later years. He then stated \$1,300,000 had been allocated for both portions of the Linear Park, adding any remaining Infrastructure Sales Surtax (ISS) funds had been allocated for Harborwalk West which after the Best Western portion would leave \$1,500,000 remaining. He pointed out that amount would not be sufficient to construct the remainder of Harborwalk West. He then mentioned linking the pieces together to complete the ring around the City, adding he felt if elements were eliminated as a compromise when constructed, those elements most likely would

not be completed in the future. He suggested the Harborwalk West funds beyond the Best Western portion be reallocated for completion of both sections of Linear Park, stating within the next two years, all portions could be completed with the exception of Harborwalk West, which had inadequate funding.

**Mayor Goldberg** stated he preferred working in that direction as well, asking if same could be done for \$1,700,000 with completing the Best Western portion of the Harborwalk.

Mr. Murphy responded affirmatively, adding same would reduce the design costs for the eliminations as well.

**Mayor Goldberg** spoke in favor of the brick crosswalks as well.

**Councilmember Wallace** stated he felt connectivity was important.

Discussion ensued with regard to funding requirements for future projects.

**Councilmember Albers** stated he felt the waterfront was the most important area, adding connectivity could be achieved by routing the path along Virginia Avenue. He spoke of the many improvements needed in the Harborwalk West area, stating he felt that should be the focus as same was the most utilized area.

**Councilmember Friedman** stated it may be possible if the remaining funds were as he anticipated, the improvements to the existing facilities in the Harborwalk West area besides the path widening could be done along with adding the bocce courts. He noted there was an existing pathway along the water, thus costs for the bocce courts and improving the playground and tennis court areas should be provided for consideration. Consensus of members was to agree with same.

City Manager Kunik confirmed members wished to move forward with both Linear Parks, with the elimination of the bocce courts and trail head parking at Linear Park III and the exercise equipment and trail head parking at Linear Park II. He confirmed the intersection improvements would be bid as add alternates.

**Councilmember Friedman** stated when the bids were received, a discussion of the total ring around the City should be undertaken to ascertain the remaining funds.

**NOTE: A short break was called at 11:05 a.m.**

#### **NEW BUSINESS**

#### **Comprehensive Annual Financial Report (CAFR) for Fiscal Year End September 30, 2010.**

City Manager Kunik stated the report had been completed, noting the City's auditor was here to respond to questions.

Councilmember Albers **MOVED** to accept the report, **SECONDED** by Councilmember Friedman.

**MOTION UNANIMOUSLY CARRIED.**

## **Economic Development Ad Valorem Tax Exemption for Certain New Businesses and Expansion of Existing Businesses**

City Manager Kunik drew members' attention to the ordinance adopted by Charlotte County, as delineated in the agenda material, stating if directed, staff could develop a similar ordinance for Punta Gorda to take the proposal to the electorate at the next scheduled election. He requested direction as to whether to model same after the County's ordinance or whether to modify same.

**Councilmember Albers** voiced concern with allowing a 100% tax exemption for a ten year period. He stated he was not sure how it could be drafted so as to be utilized to attract businesses that may not have located within Punta Gorda otherwise rather than for a business that planned to locate within the City regardless.

**Mayor Goldberg** stated the categories listed would benefit the County, adding he felt same should be amended to denote the types of businesses which would benefit the City.

**Councilmember Albers** stated he felt the incentive should be based toward large businesses which would locate in the area near the airport once annexed into the City rather than for a retail business for the downtown area.

**Mayor Goldberg** stated he felt filling in the vacant lots in the downtown area was important.

**Councilmember Friedman** concurred that if adopted, all businesses would expect to be included in the program. He pointed out the City had only three large parcels for a larger development, adding he was unsure if the proposed ordinance would draw businesses to fill the smaller vacant parcels throughout the downtown area.

**Councilmember Goldberg** pointed out the City was in competition with all neighboring communities, adding incentives such as the proposed would assist in drawing business.

**Councilmember Wallace** stated he felt the suspension of impact fees would encourage small businesses; however, he was not sure if the proposed ordinance would provide any benefit due to the lack of large properties.

Discussion ensued with regard to the types of businesses which could benefit from the proposal.

City Attorney Levin suggested he research the statutes in order to provide information at the next meeting with regard to what types of businesses might be included.

**Councilmember Albers** stated he felt existing structures should not be included as same would remove a current taxpayer from the tax rolls, whereas new construction was not currently on the tax rolls.

**Councilmember Friedman** opined the ordinance should be tailored to focus on what would be helpful upon the City's growth by annexation. He pointed out as the few large parcels within the City limits were to be utilized for mixed use, thus they wouldn't apply under the ordinance.

City Attorney Levin advised mixed use might be allowed, adding he would research same.

Consensus of members was to have staff research possible uses to provide to members for consideration.

### **Fiscal Year 2012 Budget Alternatives**

City Manager Kunik displayed a PowerPoint presentation, as delineated in the agenda material, reviewing options to reduce the budget deficit for the next fiscal year. He provided a brief summary of the assumptions utilized to project the necessary budgetary funding. He drew members' attention to the departmental reduction alternatives, as delineated in the agenda material, stating same should not be noticeable to the public, adding same considered utilizing \$600,000 of reserves. He noted the revenues for the utility fund were above what had been projected, providing a brief review of operating reductions, as delineated in the agenda material, noting the use of \$597,595 in reserves. He noted the elimination of replacing two trucks in the sanitation fund had revised the projections, adding reserves would be utilized to balance the building fund. He then provided a brief review of the gas tax revenues, noting same were decreasing thus the following reductions could be undertaken: roadway and bridge sweeping on a reduced frequency and reduction of sidewalk and streetlight programs, noting same would be noticed by the public. He then denoted proposed reductions to employee wages and benefits as follows: lesser health insurance plan, reduction in City's contribution to dependent health and dental insurance premiums, unpaid furlough days, reduction in number of paid holidays, holiday pay modification and increased employee contribution to pension, adding all could be tempered with a one time payment, not included in base salary to employees based upon salary level. He stated the increase was included as the Federal Emergency Management Agency (FEMA) had reimbursed the City with funds remaining in the storm fund. He then denoted the costs to add Advanced Life Support (ALS) on a partial basis, as delineated in the agenda material. He stated funding for the Electronic Time and Attendance could be derived from savings from technology projects and storm fund reserves. He then denoted service level reductions as follows: elimination of several of City's memberships, elimination of applications for budget and CAFR awards, elimination of DARE and GREAT police youth programs, bi-annual physicals for

firefighters, elimination of laptops in fire apparatus, elimination of volunteer firefighters and CERT program, elimination of in-kind services for events and reduction of nine positions. He concluded the public would be aware of many of those reductions as service levels would also be reduced.

**Councilmember Albers** stated he felt rather than a one time bonus as proposed, a 2% salary increase should be awarded to all employees, with that 2% being increased in the employee's pension contribution. He noted it would be a wash as far as funding, but would provide for increased pension contributions, thereby reducing the City's contribution as well as moving employee salaries forward. He stated he was not interested in doing any more harm to employees, adding taking his suggestion may negate the need to consider other benefit reductions for employees.

**Mayor Goldberg** commented he felt a 4% decrease in taxable value was more likely than a flat value, which would leave a greater budget gap. He stated over the past several years he felt the budget had been cut to the bone while maintaining the same service, thus this would be a greater challenge.

**Councilmember Friedman** questioned where the funding for the employee increase would be allocated from, opining the benefit was that all future years would include a larger employee pension contribution. He concurred the employees had paid enough as there had been no pay increase for several years with many reductions in benefits. He stated with the departmental reductions, Councilmember Albers' suggestion and possibly the holiday reductions, the deficit was almost met, thus he felt further decisions should be delayed until the property values were known. He concluded he felt the employees deserved to know that their benefits were safe.

**Councilmember Keesling** inquired if the 11% health insurance increase was included in the calculations for reductions.

City Manager Kunik responded affirmatively.

**Councilmember Keesling** stated she toured the County's Health Clinic, adding the employees were very happy with same.

**Councilmember Friedman** confirmed the increase in millage for roadwork had been included in the proforma.

Ms. Sharon Knippenberg, Controller, stated the revenues and expenses had been included in the proforma with the assumption that City Council would increase the millage rate by the necessary amount.

**Councilmember Albers** stated he felt members should provide direction to the City Manager so the employees could be assured of their benefits, he suggested the

proposed reductions be addressed individually. He stated he was not in favor of changes to the present health insurance plan.

City Manager Kunik stated the reduction from that proposal was necessary to fund the clinic, if going in that direction.

**Councilmember Friedman** countered funding for the clinic did not have to be based on changes to the present insurance plan.

Consensus of members was to make no changes to insurance plans or dependent costs and to leave furloughs and holidays for future consideration, while implementing Councilmember Albers' recommendation with regard to pension contributions and salary increases.

City Manager Kunik advised staff would be bringing forward more information on ALS.

**Mayor Goldberg and Councilmember Albers** agreed.

**Councilmember Albers** stated with regard to the electronic time keeping, there was no guarantee as to savings, thus he felt it was at best a maybe in light of the possibility of eliminating holidays.

**Councilmember Friedman** opined the only item included on that page worth considering was the elimination of in-kind.

**Councilmembers Albers and Keesling** disagreed.

Consensus of members was not to consider any of the City-wide service level reductions.

Discussion ensued with regard to property value projections.

#### **RECOMMENDATION FROM CITY OFFICERS**

##### **CITY ATTORNEY**

City Attorney Levin thanked members for renewing his contract.

#### **BOARDS AND COMMITTEES**

##### **Announcement of Vacancies**

Code Enforcement Board – Alternate

City Clerk Foster announced the vacancy.

Historic Preservation Advisory Board – Alternate

City Clerk Foster announced the vacancy.

Punta Gorda Housing Authority (2)

City Clerk Foster announced the vacancies.

##### **Nominations**

Punta Gorda Housing Authority

Councilmember Albers **MOVED** to nominate and appoint Ms. Beverly-Ann Malouin, **SECONDED** by Councilmember Friedman.

## **MOTION UNANIMOUSLY CARRIED.**

### **Appointments**

Firefighters' Pension Board

Voting forms were distributed.

City Attorney Levin advised Mr. Mooney had received the most votes and was therefore, appointed to the Firefighters' Pension Board.

## **POLICY AND LEGISLATION**

### **Further Discussion of Recreational Vehicle Parking**

**Councilmember Albers** mentioned the many comments and concerns expressed to members, stating he felt it was worth discussion prior to the ordinance being drafted.

**Mayor Goldberg** stated he had evaluated many comments and concerns with regard to parking on the right-of-way (ROW), adding the Punta Gorda Isles (PGI) Civic Association had offered the use of their parking lot for provisioning of recreational vehicles (RVs). He stated while he had been supportive, he was no longer in support after driving around and considering RVs parked on the ROW and the associated safety risks.

**Councilmember Keesling** stated she concurred with the concerns regarding to safety, adding she was supportive of allowing RVs in the driveway, but not on the ROW.

**Councilmember Friedman** commented he felt the feedback had been overwhelmingly opposed to changing the regulations to allow RV parking on the ROW, thus he concurred with maintaining the present regulations.

Consensus of members was to maintain the present regulations.

**Councilmember Friedman** stated he had received a request with regard to the intersection of Henry Street and US 41, whereby the intersection would be changed to right turn only forcing left turning traffic to travel to McKenzie Street where there was a stoplight. He asked if members felt same should be pursued.

Discussion ensued with regard to same with a consensus to direct staff to contact Florida Department of Transportation (FDOT) for consideration.

## **CITIZENS' COMMENTS**

Mr. Bill Dryburgh voiced concern with the proposed change in the event manual with regard to events at Laishley Park as he felt those events provided a great economic benefit to the City. He mentioned previous complaints with regard to noise from Harpoon Harry's wherein City Council did nothing and the complaints stopped.

**Councilmember Friedman** countered in that instance staff worked with Fishermen's Village to address the situation to resolve the problem.

Mr. Lindsay Harrington stated he was Mayor at that time, adding discussions with

Harpoon Harry's resulted in reducing the noise levels. He stated the entire issue resulted from a few complaints, adding he felt the current situation was also based upon only a couple of people. He stated he felt the condominium documents indicated it was adjacent to the park. He explained a multi-use area was a border between business and residential areas, suggestion if a person desired total quiet they should live in a residential area. He mentioned many other causes of noise heard throughout the City which was not complained about. He then commented on the FDOT Camp Plan, recommending members not consider same as it appeared they wished to close every intersection along US 41.

**Councilmember Albers** expressed thanks for the comments, suggesting they work with staff to reach a solution.

Mr. Ray Rose, PGI Civic Association, stated they were opposed to overnight RV parking on the roadway, adding he felt there were only a few which did not fit in the driveways. He stated the parking lot at the Civic Association could be used for provisioning the RVs prior to leaving on a trip.

Mr. Tim Goodman stated he lived in the condominiums, pointing out their association president had not spoken with regard to the noise. He stated he felt the majority of residents were in favor of the events and the complaints were from only a few. He then read a letter from another resident into the record.

Mr. Dave Meola stated he had corresponded with members regarding not making changes to the events in Lashley Park, suggesting a feasibility study be done with regard to constructing a sound barrier around the condominiums. He stated the park belonged to everyone who resided in Punta Gorda, not just to those in the condominiums.

Mr. Steve Fabian opined one of the worst streets in the area was Vasco Street, recalling prior discussions with Charlotte County with regard to the maintenance of same. He stated as the street was in the County's jurisdiction, staff should attempt to work with them toward bringing same into repair.

Mr. Mike Riley commented on performances over many years, adding visitors from other areas were amazed at the events that were held within the City. He stated he felt same was a part of what made the City so special, urging members not to make changes based upon only a few complainers.

**Councilmember Friedman** mentioned no complaints resulted from Mr. Riley's performances in the park, suggesting he work with staff to develop acceptable parameters.

Mr. Riley pointed out there were only a few concerts each year, rather than it being

every weekend.

Discussion ensued with regard to proposed amendments to the event permit manual. City Attorney Levin asked Mr. Riley if he felt the volume of the subject concert was louder than that at his own concerts.

Mr. Riley responded in the negative.

Mr. John Wright, PGCC, voiced concern with regard to the events that they sponsor, adding their executive board was considering relocating the Wine Festival outside of the City as the proposed changes were overly restrictive. He stated he felt those who promoted events should have been included in the process to amend the regulations.

Mr. John Newman pointed out there was insufficient parking for Charlotte High School events, suggesting parallel parking be added to both sides of the roadways to assist. He then stated decibel level studies can be done inexpensively. He pointed out band shelters worked very well to direct the sound in one direction.

Mr. John Whalley stated he donated the funds for the stage in the park and lived in the condos, adding they liked the events and music.

Mr. Ted, Techtronics, spoke in favor of events. He commented other areas had similar issues with regard to noise and had found solutions to same without eliminating the events. He stated many entertainment contracts included a decibel level limitation.

Discussion ensued with regard to the various contracts and possible solutions.

Mr. Jim Morris complimented the great venue in Laishley Park, stating there were many people who came from other states for his concerts, thus providing an economic benefit for local businesses. He urged members to encourage the events rather than discourage them.

The meeting was adjourned at 1:26 p.m.

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Mayor

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City Clerk