



**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 21, 2011 9:00 A.M.**

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

**CITY EMPLOYEES PRESENT:** Dave Drury, Finance; Mark Gering, Steve Padgett, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Dennis Murphy, Growth Management; Butch Arenal, 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.

**Mayor Goldberg** introduced Ms. Tammy Hall, Ft. Myers County Commissioner and Mr. Keith Tracy, who produced the "Punta Gorda in the Sun Flash Mob" video.

**PROCLAMATION/PRESENTATIONS**

**American Business Women's Day**

**Mayor Goldberg** presented the proclamation to Ms. Nancy Bell.

**Brazil Business Development Initiative - Commissioner Pam Seay, Charlotte County Airport Authority**

Ms. Seay reported the Charlotte County Airport Authority (CCAA) would be participating in Governor Rick Scott's trade mission to Brazil in late October, which would be followed in November with a reciprocal trade mission of Brazilian business owners and government officials to Florida. She explained the original itinerary included only Miami, but through efforts by the CCAA, a two day visit would be made to Charlotte County. She added this would enable area organizations the opportunity to highlight the unique aspects of this area such as enhanced quality of life, affordable business opportunities and other attributes which distinguished Charlotte County from the east coast. She stated the CCAA was requesting the City's participation in showcasing the community, suggesting one of the following contributions: hosting a reception at City Hall, participation in events during the two day program or cosponsoring a part of the program through contribution toward a segment of the

event such as a boat tour, trolley tour or roof top reception to highlight the waterfront and the City. She concluded chance for success would be greatly increased by working together, adding the following entities were also being asked to participate: Charlotte County government, Charlotte County and Punta Gorda Chambers of Commerce, Charlotte County Economic Development Committee, Visitors and Convention Bureau, Enterprise Charlotte Economic Council and any others with an interest in gaining businesses and jobs in the area. She estimated the total cost in the area of \$26,000 to \$30,000, requesting the City partner with the County and the Airport Authority.

**Mayor Goldberg** confirmed a detailed list of the potential businesses would be available the following week. He then mentioned a previous trade mission with representatives from the Consulate in Miami.

**Councilmember Albers** voiced support.

Councilmember Albers **MOVED** to contribute \$5,000, **SECONDED** by Councilmember Keesling.

**MOTION UNANIMOUSLY CARRIED.**

#### PUBLIC HEARINGS

**ZA-11-11 - An Ordinance of the City of Punta Gorda, Florida, amending, Chapter 26, Punta Gorda Code, known as "The Land Development Regulations", rewriting in its entirety Article 8, Section 8.1 "Demolition and Relocation of Historic Buildings", Punta Gorda Code, to encourage the relocation of historic buildings sought to be demolished; providing for conflict and severability; and providing an effective date.**

#### **FIRST READING**

City Attorney Levin read the ordinance by title.

Mr. David Hilston, Urban Design Manager, explained following the recent demolition of a historic structure off of east Olympia Avenue, the Historic Preservation Advisory Board (HPAB) has taken steps to assist in saving future historic structures from demolition by providing adequate time and financial assistance for local civic organizations to relocate threatened historic structures. He explained the ordinance would identify historic structures and established a relocation fund. He concluded staff, and the HPAB recommended approval while the Planning Commission felt same was overbearing.

**Councilmember Albers** stated he agreed the 18 month delay was too lengthy, adding he did not agree with requiring a property owner to deposit funds into a relocation account.

**Councilmember Keesling** voiced objection to including every structure over 50 years of age within the ordinance.

**Councilmember Albers** concurred, stating he felt 100 years of age was a more appropriate figure.

**Mayor Goldberg** opined the requirements of the ordinance were too onerous, adding he felt the details should have been a discussion item with Council prior to advertising same as a public hearing.

**Councilmember Albers** concurred.

Mr. John Chalifoux, HPAB Chairman, explained the proposed amendment was the result of a request by City Council, adding same would protect and save the historic structures within the City. He pointed out the proposed ordinance allowed City Council to overturn the HPAB's decision.

Ms. Gussie Baker, Punta Gorda Historical Society, stated the details of the ordinance may not be what was desired by members; however, some protection for historical structures must be put in place.

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

**MOTION UNANIMOUSLY CARRIED.**

**Councilmember Keesling** asked if the Historical Overlay District was still in place.

Mr. Hilston displayed a map, denoting the three different historic districts.

**Councilmember Keesling** stated Council had requested the HPAB look at expanding the historic district, recalling the structure which had been demolished was outside of the district. She stated she favored that over the 50 year City-wide designation.

Mr. Hilston explained staff was in the process of providing a ten year update to the current Florida Master Site File, explaining rather than expanding the districts, the focus was to develop a list of local historical landmarks. He stated that list would include structures with historical or architectural significance, regardless of whether they were within one of the districts or not. He stated same would negate the 50 year benchmark, as specific structures would be included, adding protection would then be provided.

City Manager Kunik pointed out the ordinance had other regulations.

**Councilmember Albers** stated he felt the district should be expanded, the appropriate age limit should be determined to be utilized only in the historic districts and to eliminate the relocation fund.

City Manager Kunik stated even if structures were identified, a mechanism to save them must be found.

**Councilmember Friedman** opined the existing ordinance would suffice should historic structures or local landmarks be designated.

**Councilmember Keesling** stated she did not have a problem with the relocation fund so long as it was applied only to the specific identified structures; however, she concurred the 18 month delay was too long.

**Councilmember Friedman** stated contribution to the fund should not be retroactive to current property owners.

City Attorney Levin explained the concept of the fund was in the instance when a person wished to demolish a structure, the funds they would devote to demolition would be placed in the relocation fund in hopes of finding an individual who would relocate the structure. He further explained if no relocation occurred, the funds would be returned to the property owner for demolition.

**Councilmember Friedman** questioned the need for an ordinance, opining individuals could do the same on an individual basis. He reiterated his concern for imposing the restrictions retroactively.

**Mayor Goldberg** inquired if members approved of the 18 month delay.

Consensus of members was to amend same to 12 months.

**Mayor Goldberg** stated he felt the relocation fund as explained by the City Attorney was appropriate for identified, historic structures.

**Councilmember Wallace** concurred.

**Councilmember Friedman** supported same for any structure already designated as historic or the new purchase of any structures later designated as same.

Discussion ensued with regard to notification of affected property owners.

**Mayor Goldberg** questioned the time frame for identification of local landmarks.

Mr. Hilston estimated same at one and one half years.

**Councilmember Friedman** opined the boundaries of each district would not matter once the individual structures were identified.

**Councilmember Wallace** stated if the intent was to save the buildings, one and one half years was too long.

**Mayor Goldberg** pointed out as the study was underway, as structures outside of the district were identified they could immediately be added to a protection list.

Consensus of members was to direct staff to develop an ordinance which would be brought for approval after the study of local structures was completed.

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

**MOTION UNANIMOUSLY CARRIED.**

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

City Clerk Foster swore in all participants for the following quasi-judicial proceedings.

**CCSP-01-11 - Petition for special permit under the provisions of Section 6-6(j) of the Punta Gorda Code of Ordinances to install one (1) four post boat lift with two (2) pilings outside the 45 degree rule per subsection 6-6 (C) 4 at Lot 11, Block 7, Section 4, AKA 180 Tropicana Drive, Punta Gorda, FL 33950. Owner/Petitioner: Charles Thomas**

City Attorney Levin presented the request for boat lift.

Mr. Mark Gering, City Engineer, displayed an overhead of the location and proposed construction, denoting the provisions of the code, as delineated in the agenda material. He explained the proposed construction would require a special permit because two of the pilings and a portion of the boat lift and platform would be located outside of the permitted 45 degree angle, pointing out the subject property had an existing 7'x15' concrete dock, approximately 30' of seawall and a canal width of approximately 100'. He stated although the Punta Gorda Isles (PGI) Canal Advisory Committee (CAC) recommended approval, staff recommended denial based upon items A & D of the criteria. He drew members' attention to diagrams of three similar cases, as delineated in the agenda material, in which case the construction had been approved.

City Attorney Levin requested testimony with regard to the basis for denial.

Mr. Gering responded the intent was to keep all structures within the 45 degree area, thus the request was not in harmony with the intent of the code, adding no other structures within the area had similar construction, thus the proposal was not aesthetically compatible with neighboring properties.

**Councilmember Keesling** inquired if the canal widths were the same in the other three cases.

**Councilmember Friedman** pointed out each request was to be considered on a case by case basis, thus same was immaterial.

**Councilmember Albers** stated he had requested the information as he felt the lift was extremely large, while the contractor had indicated during the PGI CAC hearing that there were others within the canal system.

**Councilmember Friedman** mentioned the intrusion onto adjacent properties, pointing out same on the proposed diagram. He stated there was no way a boat on the proposed lift would not protrude past the denoted property line. He maintained approval of the requested lift would allow intrusion into the neighboring property, thus affecting the property owner's ability to defend same in court.

City Attorney Levin stated Councilmember Friedman was referring to the riparian rights lines, asking if the City's ordinance referenced same.

**Councilmember Friedman** responded affirmatively.

City Attorney Levin pointed out another special permit would be required in so far as that aspect was not mentioned in the requested application.

Mr. Ron Parr, Parr Marine Construction, stated the 45 degree rule was adopted with the intent to eliminate the 7½' setback as same allowed structures too close to property lines which caused a proliferation of code violations, adding the 45 degree rule was a general guideline which was not intended to restrict those properties with different configurations from having docks and lifts. He drew members' attention to the proposed construction, denoting the area which provided the birthing right as delineated in the code. He stated same was an enforceable code compliance issue. He provided a detailed description of how a boat lift was designed for each property, noting in end lots, whichever property owner constructed the first lift, determined what the neighboring properties could construct to allow safe navigation. He reiterated the intent of the code was not to impede navigation, adding he considered the safest docking maneuvers when designing each configuration. He pointed out although the pilings were proposed to be at that distance, the boat would be set into the lift approximately 1' to allow for the various protuberances. He stated the property owner had selected the 13' lift rather than 12' so as to allow the option for walk boards in the future. He then displayed overheads, as delineated in the agenda material, depicting an overhead view of the canal with the proposed lift located at the property, providing a description of necessary navigation routes.

**Councilmember Friedman** questioned the size of the boat.

Mr. Parr responded the boat was approximately 26', stating a 30' boat could fit on the proposed lift. He stated a parallel lift could not be used at this location.

**Councilmember Friedman** stated a property owner with a small lot should have a smaller boat.

**Councilmember Albers** explained his objection was not with the design of the lift as he felt pulling straight into same was preferable, but rather it was the size of same and the potential for a boat too large for the location.

Mr. Parr stated while the lift could be smaller, the applicant wished to have access to the sides of the boat. He maintained the birthing right was to be considered as a code violation; therefore, the fact that a larger boat could be placed on the lift was not an aspect to be considered in this request. He stated the intent was to back the boat onto the lift, adding as same was a powerboat, there would be no issue with regard to the birthing line.

**Councilmember Friedman** stated he felt the intent of the ordinances was that each property had certain constraints, adding an appropriately sized boat should be selected in relation to same.

Discussion ensued with regard to the necessary size of lift for the subject boat.

**Councilmember Keesling** stated she viewed the property which caused her concern regarding the size of the lift.

**Councilmember Albers** stated he felt a 12' lift would accommodate the boat, while eliminating the possibility of a larger vessel being placed in same.

**Councilmember Friedman** opined the 45 degree rule was intended in part to minimize congestion and clutter within the canals, adding same limited what could be placed within the canals. He reiterated the size of the boat was limited by the size of the lot.

Mr. Parr stated it was the configuration of this particular property in light of the existing lift on the adjacent lot that provided the need for the proposed construction. He reiterated this was the only configuration which would allow the boat to be maintained on a lift.

**Councilmember Wallace** inquired if the dock would remain.

Mr. Parr responded in the negative.

**Mayor Goldberg** stated he would feel comfortable with a narrower lift as proposed by Councilmember Albers.

**Councilmember Wallace** inquired as to the neighbors' opinion.

**Councilmember Albers** confirmed neighboring property owners had been notified.

Mr. Bill Stamp stated he felt the proposed construction was the safest configuration based upon the existing lift on the neighboring lot. He stated as this was a boating community it was not unusual for neighbors to work with each other toward safe docking.

Mr. Pete Walsh voiced support of the request. He stated the applicant donated his time and boat each month to the Coast Guard, adding he intended to sell same and purchase a smaller Boston Whaler.

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

**MOTION UNANIMOUSLY CARRIED.**

**Councilmember Keesling** stated she agreed the proposed configuration was most likely the best option; however, she felt same was not in compliance with the criteria in that it could be detrimental to neighboring properties.

**Councilmember Friedman** stated he was not in favor of the request; however, if the majority wished same to be approved, he was not in favor of limiting the lift size.

**Mayor Goldberg** concurred.

**Councilmember Wallace** countered a reduced lift size limited the potential for a large boat which would protrude into the neighbor's property.

Councilmember Albers **MOVED** approval with a 12' lift, **SECONDED** by Councilmember Wallace.

**VOTING AYE: Albers, Wallace.**

**VOTING NAY: Keesling, Friedman, Goldberg.**

**MOTION DENIED.**

City Attorney Levin stated some action should be taken on the application as submitted.

Councilmember Wallace **MOVED** to approve, **SECONDED** by Councilmember Albers.

**VOTING AYE: Albers, Friedman, Wallace, Goldberg.**

**VOTING NAY: Keesling.**

**MOTION CARRIED.**

**CCSP-02-11 - Petition for special permit under the provisions of Section 6-6(j) of the Punta Gorda Code of Ordinances to install one (1) 4' x 27' angled concrete finger dock and one (1) four post boat lift at Lot 15, Block 148, Section 12, AKA 5000 Useppa Court, Punta Gorda, FL 33950. Owner/Petitioner: Douglas Knipe**

City Attorney Levin presented the request for a finger dock and boat lift.

**Mayor Goldberg** noted the PGI CAC had reviewed the petition and recommended same be continued until after their September 19, 2011 meeting so they could make a recommendation.

Councilmember Albers **MOVED** to continue CCSP-02-11 to October 19, 2011, **SECONDED** by Councilmember Keesling.

**MOTION UNANIMOUSLY CARRIED.**

**SE-04-11 - A Special Exception request by Thomas A. Huff, AIA, Agent for the Charlotte County Board of County Commissioners, per Chapter 26, Section 16.8, Punta Gorda Code, to allow a single use residential project to be constructed on Lots 16 and 17, Block 67, PUG, a/k/a 321 and 328 Fitzhugh Avenue, Punta Gorda, in the City Center (CC) zoning district, which is a use permitted by Special Exception approval pursuant to Chapter 26, Section 3.9.(f)(5).**

City Attorney Levin presented the special exception request.

Mr. Hilston explained the request was to allow a single family use within the City Center (CC) zoning district, adding same was permitted by special exception. He stated approval would allow construction of two two-unit duplexes which would be made available for low to moderate housing rentals as the properties would be conveyed to a

not-for-profit agency which would retain the responsibility for upkeep, maintenance and retain the affordability status for a minimum of 20 years. He advised the use was compatible with the neighboring uses and would provide an infill project to complement the neighboring properties without having an adverse effect on the neighborhood. He concluded staff, the Development Review Committee (DRC) and Planning Commission recommended approval.

Mr. Thomas Huff, applicant, stated the intent of the project was to bring jobs to the area and to provide low cost rental units by means of infill construction.

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

**MOTION UNANIMOUSLY CARRIED.**

City Attorney Levin pointed out the statement indicating the property would be conveyed to a not-for-profit organization for upkeep and that the affordable rental rates would be maintained for 20 years, adding same should be indicated if the approval was contingent on same.

Councilmember Wallace **MOVED** approval contingent on the requirements as stated above, **SECONDED** by Councilmember Keesling.

**MOTION UNANIMOUSLY CARRIED.**

**ORDINANCE/RESOLUTION**

**No Public Hearing Required**

**GA-14-11 - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 6, "Boats, Docks and Waterways", Punta Gorda Code, amending Section 6-22. "Interference with Navigation Prohibited, Exception", due to legislative changes; amending Chapter 26, Punta Gorda Code, also known as "The Land Development Regulations, amending Section 3.3, "MP, Marina Park District", Subsection (d), "Prohibited Uses and Structures", removing the defined anchorage area of Gilchrist Park; 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.

Mr. Bill Dixon, PGI CAC Chairman, displayed a photo of Ponce Inlet, as delineated in the agenda material, which could be utilized by 2,764 parcels. He stated "No Anchoring" signs were in place at the location as same was a dangerous area, he asked members not to remove those restrictions.

**MOTION UNANIMOUSLY CARRIED.**

**GA-19-11 - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 9A of the Punta Gorda Code, "Code Enforcement and Abatement of Nuisances", Article IV, "Nuisances Specified", Section 12, "Generally", to clarify where personal property must be viewable in order to constitute visual blight; 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.

**MOTION UNANIMOUSLY CARRIED.**

**GA-21-11 - An Ordinance of the City of Punta Gorda amending the City of Punta Gorda General Employees' Retirement System, adopted pursuant to Ordinance 1671-11, as subsequently amended, is hereby further amended by amending Section 1, Definitions; Section 2, Membership; Section 5, Contributions; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date.**           **SECOND READING**

City Attorney Levin read the ordinance by title.

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

**MOTION UNANIMOUSLY CARRIED.**

#### **CONSENT AGENDA**

**Councilmember Friedman** pulled item D-2, stating same related to the large trailer at the entranceway to Vivante which had been in that location for ten years. He stated the initial intent was to maintain same for one and a half years to be replaced by a small convenience store. He pointed out all of the initial units had been sold, opining no future phases would be constructed for at least five years. He voiced objection to allowing same to remain as it was unnecessary after so many years, adding if future construction was proposed, a request could be made at that time to allow a sales trailer.

**Councilmember Albers** concurred, adding it was a temporary sales office which was not necessary at this time due to the lack of construction or sales.

**Mayor Goldberg** inquired if any complaints had been made.

Ms. Teri Tubbs, Zoning Official, responded in the negative.

Ms. Valerie McChesney, Stock Development, stated only 331 of the potential 542 units had been constructed. She explained Stock Development had worked to purchase and assume authority over all areas of the development. She advised they were also in possession of 16 units which were constructed with Chinese drywall, which were in the process of being rehabilitated. She stated they had requested a 10 year period as they

had only recently assumed authority of the full development and in light of the economy, they desired not to have to renew approval each year.

**Councilmember Wallace** inquired as to the plans for the next two years.

Ms. McChesney responded once remodeled, the 16 units with Chinese drywall would be sold.

Discussion ensued with regard to the proposed convenience store.

**Councilmember Friedman** questioned the cost to remove same.

Ms. McChesney estimated \$100,000 to replace same based upon the facades and decks.

**Councilmember Friedman** stated he felt the intent was to allow such structures for new construction projects rather than for selling existing units within a completed project.

**Councilmember Albers** suggested a two year approval to allow the remaining units to be sold, adding if a longer period was needed additional Council approval would be necessary.

Councilmember Albers **MOVED** approval of the consent agenda with D-2 limited to two years, **SECONDED** by Councilmember Friedman.

**MOTION UNANIMOUSLY CARRIED.**

**A. City Clerk's Department**

1. Approval of Minutes: Budget Public Hearing of September 7, 2011
2. Approval of Minutes: Regular Meeting of September 7, 2011

**B. City Manager's Department**

1. A Resolution of the City Council of the City of Punta Gorda, Florida changing the date of the regularly scheduled City Council meeting of December 21, 2011 to December 14, 2011.

**C. Finance Department**

1. Account Receivable Write-offs

**D. Growth Management Department**

1. A Resolution of the City Council of the City of Punta Gorda, Florida, reaffirming the Charlotte County/City of Punta Gorda Local Mitigation Strategy as the formal guide for Hazard Mitigation Activities.
2. Request to amend and extend Developer's Agreement regarding Vivante's Project Coordination Unit.

**E. Legal Department**

1. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq. through September 15, 2011.

**NOTE: A short break was called at 11:17 a.m.**

### **UNFINISHED BUSINESS**

#### **FY 2012 Strategic Plan**

City Manager Kunik drew members' attention to the proposed plan, as delineated in the agenda material, asking for comments or questions.

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

**MOTION UNANIMOUSLY CARRIED.**

### **NEW BUSINESS**

#### **Canal Safety Ladders**

**Councilmember Wallace** stated he had viewed the areas near the bridges, adding there were rocks next to each one which would enable a person to get out of the water, thus he felt ladders were unnecessary.

Consensus of members was to agree.

#### **Proposed Changes to False Alarm Ordinance Fee Structure**

Mr. Butch Arenal, Police Chief, explained while staff had been working with Charlotte County Public Schools (CCPS) with regard to their many false alarms, it was understood the magnitude and size of the campus was a great factor in the difficulties in remedying the situation. He stated staff would continue to work with CCPS in order to correctly address the situation; however, he was recommending the City's ordinance relating to false alarm fines be amended so it was more closely aligned with Charlotte County's policy which provided the following for a six month billing cycle: warning for the first two violations, \$25 fine for the third violation, \$50 fine for the fourth violation, \$75 fine for the fifth violation and \$100 for the sixth and any subsequent violations.

**Councilmember Albers** pointed out the amended ordinance had only been in effect since May, 2011. He stated the intent was to gain compliance, thus he was pleased the ordinance was working as planned.

**Councilmember Friedman** commented he did not feel the City should take a step back when the ordinance was working as planned.

Mr. Arenal explained the School Board had demonstrated they were working toward reducing false alarms when faulty equipment was involved; however, it was not possible to completely eliminate false alarms. He stated he brought the request forward in the spirit of cooperation with another governmental entity. He advised CCSP was on the Code Enforcement Board's agenda this month with regard to the fines.

Discussion ensued with regard to Charlotte County's false alarm ordinance.

**Councilmember Albers** voiced objecting to having a lower rate for governmental entities.

**Mayor Goldberg** pointed out the opportunity for false alarms due to the size of the campus, stating he would be willing to reduce the tenth threshold from \$500 to \$250.

**Councilmember Keesling** asked if there were any other entities which had met the tenth threshold.

Mr. Arenal responded in the negative.

**Councilmember Friedman** pointed out the size of the campus and number of alarms had not changed from before the ordinance was adopted. He questioned why members were considering making a change prior to a request being made.

Ms. Tubbs explained the appearance before the Code Enforcement Board was due to lack of payment of the fines.

**Councilmember Keesling** stated she would support a reduction from \$500 to \$250 for the tenth threshold.

**Councilmember Friedman** reiterated there had been no request for same.

Consensus of members was to leave the ordinance as it was currently written.

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

##### **CITY MANAGER**

City Manager Kunik announced staff had applied for a Florida Wildlife Commission grant for the west mooring field, adding notification had been given that the City did not score enough points, largely based on lack of financial commitment from the Best Western or Fishermen's Village. He stated another agency offered a grant, which staff would apply for.

**Mayor Goldberg** inquired if the grant application period was still open if a financial commitment could be gained from Fishermen's Village.

City Manager Kunik explained Fishermen's Village had required that the project be designed and permitted prior to committing, adding the grant funds were necessary for design and permitting.

##### **CITY ATTORNEY**

City Attorney Levin mentioned the statement with regard to not eliminating the "No Anchoring" signs in Ponce Inlet, explaining the City did not have authority to cite someone for anchoring under a local ordinance. He explained the City had the authority to cite someone for hazardous navigation. He opined the signs were unenforceable.

#### **BOARDS AND COMMITTEES**

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

Charlotte County Marine Advisory Committee

City Clerk Foster announced the vacancy.

**Nominations**

Code Enforcement Board

Councilmember Friedman **NOMINATED** all interested parties.

**POLICY AND LEGISLATION**

**KEESLING:** Commented on the news article with regard to their attempt to exit the Southwest Florida Regional Planning Council, noting same would take some time as it required legislative action. She recommended the City maintain their seat on the Council, adding the focus now related to hiring a new Executive Director and budgetary issues.

**Councilmember Friedman** recalled the news article indicated the County paid \$60,000 for membership, asking if the City was required to pay.

**Councilmember Keesling** stated counties were assessed based upon population, with three seats, two for County Commissioners and one to rotate between cities within the County.

The meeting was adjourned at 12:07 p.m.

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Mayor

\_\_\_\_\_  
City Clerk