



**Regular City Council Meeting**  
**CITY OF PUNTA GORDA, FLORIDA**  
**326 West Marion Avenue, Punta Gorda, FL 33950**  
**February 1, 2012**

\*\*\*ANNOTATED AGENDA\*\*\*

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**CITY COUNCIL**

William F. Albers, Mayor  
Carolyn Freeland, Council Member  
Harvey Goldberg, Vice Mayor  
Rachel Keesling, Council Member  
Charles Wallace, Council Member

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**CITY OFFICIALS**

Howard Kunik, City Manager  
David Levin, City Attorney  
Sue Foster, City Clerk

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*NOTE: Anyone wishing to address the Council on any agenda item may do so at the appropriate time during the meeting. Those who choose to speak must state their name for the record. Each person will be allowed to speak once on each subject up to a maximum of three minutes.*

**9:00 A.M.      CALL TO ORDER**  
**INVOCATION**  
**PLEDGE OF ALLEGIANCE**

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**I.      PROCLAMATION/PRESENTATIONS**

**A.      Proclamations**

**1.      7th Annual Punta Gorda Wine & Jazz Festival      **PROCLAIMED****

**B.      Presentations**

**1.      10 Year Service Award - Marty Meddaugh, Police Department      **PRESENTED****

**2.      Presentation to Marilyn Thorndycraft      **PRESENTED****

C. Introduction of Board/Committee Member Nominees

**II. COMMUNITY REDEVELOPMENT AGENCY**

A. Approval of Minutes

1. Regular Meeting of January 4, 2012 **APPROVED 7-0**

B. CRA Project Status Report

1. February 2011

C. Other CRA Business

1. A Resolution of the Community Redevelopment Agency (CRA) of the City of Punta Gorda, Florida authorizing Marina Park Management Group, Inc. to waive a portion of the rental fees for CRA owned public facilities for active military personnel; and providing for an effective date. **APPROVED 7-0**

2. Segway Vendor in City Parks **TO BE ALLOWED IN A STORE-FRONT OPERATION**

3. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A., for services rendered to the Community Redevelopment Agency by David M. Levin, Esq. through January 26, 2012. **APPROVED 7-0**

D. Citizen Comments

E. Commissioner Comments

**III -A. PUBLIC HEARINGS**

1. **GA-03-12-** An Ordinance of the City of Punta Gorda, Florida, amending Chapter 15, "Offenses and Miscellaneous Provisions", Section 15-19, "False Alarms", Punta Gorda Code, amending Subsection (a) to revise the definition of "premises"; amending Subsection (c) to provide for administrative costs; amending Subsection (d) to provide for appeals to be heard by Building Board; amending Chapter 7, "Building Regulations", Punta Gorda Code; Article I, "Building Board", Section 7-3, "Powers and Duties", adding a new Subsection (e), to provide for appeals of Section 15-19 to be heard by Building Board; amending Chapter 9A, "Code Enforcement and Abatement of Nuisances", Punta Gorda Code, Article II, "Enforcement and Penalties", Section 9A-8, "Power of the Enforcement Board", to delete Subsection (k); providing for conflict and severability; and providing an effective date.

**First Reading**  
**APPROVED 5-0**

2. **GA-04-12-** An Ordinance of the City of Punta Gorda, Florida, amending Chapter 11, "Punta Gorda Development Impact Fees"; providing findings; amending Section 11-2 "Findings" related to an updated impact fee analysis; amending in part Section 11-3 "Intent" to incorporate the updated impact fee report; amending in part Section 11-5 "Definitions" to modify and add terms based on the updated impact fee report; amending in part Section 11-6 "Applicability" related to residential development; amending Section 11-8 "Imposition of Impact Fees" to indefinitely suspend impact fees for police, fire and general government facilities; amending Section 11-9 "Calculation of Impact Fees and Impact Fee Schedule" by modifying Subsection (a) related to residential development, Subsections (b)(1) and (2) to incorporate updated impact fees and land use categories for park and road impact fees, and by modifying Subsections (b)(3), (4) and (5) to suspend police, fire and general governmental impact fees indefinitely and to delete previously applicable fee schedules; providing for liberal construction, severability and conflict; and providing an effective date. **First Reading**

**APPROVED AS AMENDED 5-0**

### **III - B. QUASI-JUDICIAL PUBLIC HEARINGS**

1. **V-04-11** – Request for a variance to the Land Development Regulations pursuant to Chapter 26, Section 16.10, Punta Gorda Code, on an existing single-family structure to allow a sidewalk in the required drainage area of the side yard of the property, instead of sod as is required per Chapter 26, Section 8.13(a) and (f)(2), Punta Gorda Code; and to allow the sidewalk to have a setback of zero feet instead of three (3) feet as required by Chapter 26, Section 8.14(h), Punta Gorda Code, and to allow two walkways for access to the seawall, instead of a single walkway as is permitted by Chapter 26, Section 3.13(t), Punta Gorda Code. LEGAL: Block 10, Lot 34, Punta Gorda Isles Section Four of the Public Records of Charlotte County, Florida. A/K/A: 2284 Palm Tree Drive, Punta Gorda Florida.

**Continued from December 14, 2011**

**APPROVED WITH CONDITIONS 5-0**

### **III - C. ORDINANCE/RESOLUTION (No Public Hearing Required)**

#### **IV. CONSENT AGENDA**

*All matters listed under this item are considered to be routine and action will be accomplished by one motion without separate discussion of each item. If a member of the Council desires discussion, that item(s) will be removed from the Consent Agenda and considered separately.*

##### **A. CITY CLERK'S DEPARTMENT**

1. Approval of Minutes: Regular Meeting of January 18, 2012  
**APPROVED 5-0**
2. A Resolution of the City of Punta Gorda, Florida opposing legislation that proposes to modify, restrict, repeal or eliminate the authority of municipalities to levy, collect and/or expend the local business tax; and providing an effective date.  
**APPROVED 5-0**

**B. CITY MANAGER'S DEPARTMENT**

1. Request by Conquistadors for an Informational Sign at Ponce de Leon Statue in Gilchrist Park. **APPROVED 5-0**
2. Request by Peace River Wildlife Center to place a sign and cooler near the Ponce de Leon Park fishing dock for the collection of unused bait. **APPROVED 5-0**

**C. GROWTH MANAGEMENT DEPARTMENT**

1. A Resolution of the City of Punta Gorda, Florida authorizing the City Manager or duly appointed designee to waive a portion of the rental fees for City owned parks and public facilities for active military personnel; and providing for an effective date. **APPROVED 5-0**
2. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the levy of delinquent user fee liens for the Mandatory Lot Mowing Program for Fiscal Year 2011/2012; and providing and effective date. **APPROVED 5-0**

**D. LEGAL DEPARTMENT**

1. Invoice of Allen, Norton & Blue, P.A. for services rendered in December 2011. **APPROVED 5-0**
2. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq. through January 26, 2012. **APPROVED 5-0**
3. Monthly Litigation Report **APPROVED 5-0**
4. Order of the Code Enforcement Board confirming Resolution 2960-11 which imposes a Municipal Special Assessment for Demolition and Nuisance Abatement services performed at 24368 Airport Road. **APPROVED 5-0**

**REGULAR AGENDA**

**V. UNFINISHED BUSINESS**

- A. Illumination of Downtown Decorative Lights **DIRECTION PROVIDED TO STAFF**
- B. Discussion regarding Employee Health Center **DIRECTION PROVIDED TO STAFF**

**VI. NEW BUSINESS**

- A. Discussion regarding portable signs for businesses **NO CHANGES TO CODE**

**VII. RECOMMENDATION FROM CITY OFFICERS**

- A. City Manager  
B. City Attorney  
C. City Clerk

**VIII. BOARDS AND COMMITTEES**

- A. Announcement of Vacancies  
1. Punta Gorda Isles Canal Advisory Committee  
**VACANCY ANNOUNCED**

**IX. POLICY AND LEGISLATION**

- A. Mayor  
B. Council Member Comments

**X. CITIZENS' COMMENTS**

**XI. ADJOURNMENT**

City Council will conduct a shade meeting immediately following the February 1, 2012 City Council meeting to discuss collective bargaining matters. Said meeting will be held in the 3rd Floor Conference Room of the City Hall Annex Building, 126 Harvey Street, Punta Gorda.

*At meetings in which public hearings are reviewed, any member of the audience who wishes to speak will be recognized and heard. All persons must be sworn in prior to offering testimony. If any person decides to appeal any decision made by this Board/Committee with respect to any matter considered at such meeting or hearing, he or she must have a record of the proceedings, and that, for such purpose, he or she may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.*

*In accordance with the Americans with Disabilities Act and Florida Statute 286.26, persons with disabilities needing special accommodations to participate in this proceeding should contact the Office of the City Clerk at (941) 575-3369.*