



**City Council and Community
Redevelopment Agency Agenda
CITY OF PUNTA GORDA, FLORIDA
326 West Marion Avenue, Punta Gorda, FL 33950
March 3, 2010**

CITY COUNCIL

Harvey Goldberg, Mayor
William F. Albers, Vice-Mayor
Don McCormick, Councilmember
Charles Wallace, Councilmember
Lawrence J. Friedman, Councilmember


CITY OFFICIALS

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

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**

I. PROCLAMATION/PRESENTATIONS

-  **A.** Proclamations
 - 1.** United States Navy Day


- B.** Presentations
 - 1.** Introduction of Board / Committee Nominees
 - 2.** 20 Year Service Award – Carol Mohaupt, Police Department

II. PUBLIC HEARINGS


-  **A.** An Ordinance of the City of Punta Gorda, Florida, amending Chapter 12 of the City Code of Ordinances, “Business Tax Act”; amending Section 12-1 relating to the Imposition of a Business Tax; amending Section 12-2 relating to Definitions; amending Section 12-3 relating to Business Tax Receipts; amending Section 12-5 relating to the Application for a Business Tax Receipt; amending Section 12-6 relating to Inspections; amending Section 12-7 relating to Receipts for Each Location; amending Section 12-10 relating to

Display of Tax Receipt; amending Section 12-11 relating to Duties of the City Clerk; deleting Section 12-13 relating to Professionals and adding a new Section 12-13 relating to Evidence of Engaging in Business; amending Section 12-14 relating to the Revocation of a Business Tax Receipt; amending Section 12-15 relating to Exemptions; amending Section 12-17 relating to Vending and Amusement Machines; amending Section 12-18 relating to Flea Markets; deleting Section 12-19 relating to Door-To-Door Selling; adding a new Section 12-19 relating to Conflicts; deleting Section 12-20 regarding Soliciting on City Streets; adding a new Section 12-20 regarding Severability; deleting Section 12-22 relating to Hours for Canvassing and Soliciting; deleting Section 12-23 relating to Enforcement of Violations; amending Chapter 15 of the City Code of Ordinances “Offenses and Miscellaneous Provisions” creating a new Section 15-45 in Chapter 15 relating to Door-to-Door Selling, Soliciting, and Canvassing, providing definitions, providing prohibitions against door-to-door selling, soliciting, hawking, peddling, and canvassing, providing hours for door-to-door canvassing, providing for enforcement, providing for appeals, providing for penalties; adding a new Section 15-46 prohibiting peddling and soliciting on city streets; amending Chapter 9A, of the City Code of Ordinances “Code Enforcement & Abatement of Nuisances” amending Section 9A-33(p) relating to Penalties; amending Chapter 9A, Section 9A-33(q) relating to Penalties; repealing Emergency Ordinance No. 1627-10; requiring 14 day’s public notice between ordinance readings; providing for severability; providing for conflicts; and providing an effective date.

First Reading



-  **B.** An Ordinance of the City of Punta Gorda, Florida, amending the City Code of Ordinances, Chapter 6, Article I, Section 6-9(d) which prohibits fishing from certain public streets, thoroughfares, and dedicated public rights-of-way which touch, abut or end at a public waterway, to include the West Marion Avenue Bridge over the Sailfish Estuary; providing for conflict and severability and providing an effective date.



First Reading

-  **C.** An Ordinance of the City of Punta Gorda, Florida, amending Chapter 10 of the City Code of Ordinances known as “Solid Waste, Yard Waste, Public Nuisances”, Article I, In General, Section 10-2.4. City’s Mandatory Lot Mowing Program, amending Sub-Sections 10-2.4.(e), (f), (k), (m), and (n), changing references to Code Enforcement Officers to Code Compliance Officers and changing the annual billing date for the Mandatory Lot Mowing Program from September 1 of each year to June 1 of each year; providing for conflict and severability; and providing an effective date.


First Reading

III. COMMUNITY REDEVELOPMENT AGENCY


- A.** Roll Call
-  **B.** Approval of Minutes
- 1.** Regular Meeting of February 3, 2010
-  **C.** CRA Project Status Report

-  **D.** Harborwalk Best Western to Fishermen’s Village Preliminary Concept and Design – Weiler Engineering
-  **E.** Laishley Park Marina Ship’s Store Lease Options
- F.** Commissioners’ Comments
- G.** Citizens’ Comments


IV-A. QUASI-JUDICIAL PUBLIC HEARINGS

-  **1.** **V-02-10** – Request for a variance to the Land Development Regulations per Chapter 26, Article 16, Section 16.10, Punta Gorda Code, to allow an existing ground sign to remain in place for the multi-tenant commercial building located at 212 W. Virginia Avenue instead of removing said ground sign, which would otherwise be required by Chapter 26, Article 11, Section 11.4(e)(7)(c), Punta Gorda Code upon the installation of three (3) new façade signs as proposed by the Applicant. (A prior variance was granted to allow the existing ground sign to be 30 square feet in area instead of 16 square feet in area as permitted; and to allow the ground sign to be 9’8” in height instead of a maximum of 5 feet in height as permitted by City Code.) LEGAL: Block 44, Lots 9-10, PUG of the Public Records of Charlotte County, Florida. A/K/A 212 West Virginia Avenue, Punta Gorda Florida


IV-B. ORDINANCE/RESOLUTION (No Public Hearing Required)

-  **1.** **ZA-18-09** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “The Land Development Regulations”, Article 11, Sign Standards, amending Subsection 11.3., Permitted Signs; amending Sub-Subsection 11.3(h) Incidental Signs, to allow certain incidental signs which are regulated by Florida Statutes to comply with minimum statutory requirements; adding Sub-Subsection 11.3(h)(6) exempting permit requirements for incidental signs in residentially zoned districts; providing for conflicts and severability; and providing an effective date.

Second Reading

-  **2.** **ZA-01-10** – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 26 of the City Code of Ordinances known as “the Land Development Regulations”, Article 3, Regulating Districts, amending Subsection 3.13., SRO, Special Residential Overlay District, amending Sub-Subsection 3.13.(p) Temporary Buildings, adding a prohibition for above ground swimming pools in the SRO zoning districts; providing a definition for above ground swimming pools; providing for conflict and severability; and providing an effective date.



Second Reading

-  **3.** A Resolution of the City of Punta Gorda, Florida, adopting the City of Punta Gorda Parks & Recreation Master Plan Design Standards and incorporating the design standards into the City of Punta Gorda Parks & Recreation Master Plan



V. 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 OFFICE

1. Approval of Minutes:
 -  a. Regular Meeting of February 17, 2010
 -  b. Town Hall Meeting of February 18, 2010

B. LEGAL DEPARTMENT

-  1. Monthly Litigation Report
-  2. A Resolution of the City of Punta Gorda, Florida, accepting the donation of eleven bicycles from TEAM Punta Gorda for the Bike Loaner Program within the City of Punta Gorda and providing an effective date

C. GROWTH MANAGEMENT DEPARTMENT


-  1. **SCA-01-10** – Request by Punta Gorda Days, Inc. to hold the Annual Block Party utilizing W. Marion Ave., Taylor St., Herald Ct. and Sullivan St. right-of-ways on Saturday, April 17, 2010. The event organizer is also requesting approval for special signage for this event two weeks prior to the date of the event
-  2. **SCA-02-10** – Request to allow ponies in Laishley Park for the 3rd Annual Peace River Seafood Festival, March 13-14, 2010.

D. PUBLIC WORKS DEPARTMENT

-  1. Extending Work Limits of Shreve Street reclamation from Pompano to Baynard

REGULAR AGENDA


VI. UNFINISHED BUSINESS

-  A. Discussion and review of the sign survey results regarding temporary signs for business events and promotions.







VII. NEW BUSINESS

VIII. RECOMMENDATIONS FROM CITY OFFICERS

- A. City Manager
- B. City Attorney

-  C. City Clerk
 - 1. Charter Review Committee

IX. BOARDS AND COMMITTEES

- A. Announcement of Vacancies
 -  1. Building Board – Alternate
 -  2. Historic Preservation Advisory Board (2)
 -  3. Board of Zoning Appeals – Alternate
- B. Nominations
 -  1. Code Enforcement Board – Alternate
 -  2. General Employees’ Pension Board
- C. Appointments
 -  1. Code Enforcement Board – Alternate

X. POLICY AND LEGISLATION

- A. Mayor
- B. Councilmember Comments

XI. CITIZENS’ COMMENTS

NOTE: Anyone wishing to address the Council may do so at this time. Those who choose to speak must state their name for the record. Citizens will be allowed no more than three (3) minutes to express their opinion.

XII. ADJOURNMENT

At public hearings, any member of the audience who wishes to speak will be recognized and heard.

If a person decides to appeal any decision made by the City Council, such person will need a record of proceedings, and for such purpose the person may need to ensure that a verbatim record of 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, special accommodations may be made by contacting the Office of the City Clerk at (941) 575-3369.