



# City Council Agenda

## CITY OF PUNTA GORDA, FLORIDA

326 West Marion Avenue, Punta Gorda, FL 33950

### March 17, 2010

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#### 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

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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 AM      CALL TO ORDER**  
**INVOCATION**  
**PLEDGE OF ALLEGIANCE**

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#### **I.      PROCLAMATIONS/PRESENTATIONS**


##### **A.      Proclamations**

-  **1.      The Charlotte County Big Read 2010**
-  **2.      Florida Surveyors & Mappers Week**

##### **B.      Presentations**

- 1.      Introduction of Board / Committee Nominees**
- 2.      30 Year Service Award – Rick Keeney, Public Works Director**
- 3.      Service Awards for Volunteers in Policing: 10 Year - John Cronin, Robert Toth & Richard Adomatis and 5 Year - George Remick & Katherine Taylor**

#### **II-A.   PUBLIC HEARINGS**

-  **1.      A Resolution of the City Council of the City of Punta Gorda, Florida approving an amendment to the 2009 Community Development Block Grant (CDBG) Action Plan for the City of Punta Gorda**


**First Reading**

## **II-B. 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

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

- 1.** 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. **Second Reading**
- 2.** 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. **Second Reading**

-  3. 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.

**Second Reading**

-  4. A Resolution establishing the 2010 Charter Review Committee, ratifying the nomination and appointment of members to the committee, establishing powers and procedures




**III. 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**

-  1. Approval of Minutes:  
a. Regular Meeting of March 3, 2010


**B. LEGAL DEPARTMENT**

-  1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving Quasi-Judicial Hearing Procedures and Rules for Ex-Parte Communications; repealing Resolution 1118-95; providing for conflict; and providing an effective date
-  2. Statements of the Farr Law Firm for services rendered in January 2010
-  3. Statement of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered by David M. Levin, Esq., from February 10, 2010 through March 9, 2010


**C. FINANCE DEPARTMENT**

-  1. Results of Property & Casualty Insurance Request for Proposal (RFP)

**D. GROWTH MANAGEMENT DEPARTMENT**



-  1. 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 2009/2010

**E. CITY MANAGER**


-  1. Letter of Support for Google “*Ultra-High Speed Broadband Networks*”

**REGULAR AGENDA**

**IV. UNFINISHED BUSINESS**

-  A. Total Dissolved Solids (TDS) Briefing Memorandum
-  B. Home Occupations by Special Exception Approval Discussion








**V. NEW BUSINESS**

-  A. Presentation on Red Light Cameras

**VI. RECOMMENDATIONS FROM CITY OFFICERS**

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

**VII. BOARDS AND COMMITTEES**

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

**VIII. POLICY AND LEGISLATION**

- A. Mayor
- B. Councilmember Comments

**IX. CITIZENS' COMMENTS**

*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.*

**X. 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.*