

**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, SEPTEMBER 4, 2019, 9:00 A.M.**

**COUNCILMEMBERS PRESENT:** Carey, Cummings, Matthews, Prafke, Wein

**CITY EMPLOYEES PRESENT:** Kristin Simeone, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Joan LeBeau, Urban Design; Pamela Davis, Police; Ray Briggs, Fire; City Attorney Levin; City Manager Kunik; City Clerk Smith

**Mayor Prafke** called the meeting to order at 9:00 a.m.

Invocation was given by Mr. Carlo Giardullo, followed by the Pledge of Allegiance.

**PROCLAMATION/PRESENTATIONS**

**Day of Remembrance and Appreciation of First Responders**

**Councilmember Matthews** presented the proclamation which was accepted by Ms. C.J. Metcalf, Military Heritage Museum Board of Directors.

**Introduction of Board/Committee Member Nominees**

Ms. Wendy Mueller introduced herself as a nominee for the Board of Zoning Appeals.

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

**ORDINANCE/RESOLUTION**

**No Public Hearing Required**

**Citizen Comments - Ordinances/Resolution Items Only**

None.

**GA- 03- 19 - An Ordinance of the City of Punta Gorda, Florida, amending the Punta Gorda Code, Chapter 23, "Traffic", Article II, "Parking Areas", Section 23- 17(a), limiting on- street parking along a portion of Goldstein Street to the west side of the street; providing for conflict and severability; and providing an effective date.**

**SECOND READING**

City Attorney Levin read the ordinance by title.

Councilmember Matthews **MOVED** approval, **SECONDED** by Councilmember Cummings.

**MOTION CARRIED UNANIMOUSLY.**

**CONSENT AGENDA**

A. Citizen Comments - Consent Agenda Items

Ms. Betzy Blaustein requested approval of the Little Free Library kiosk in Gilchrist Park, stating the Friends of Gilchrist Park would monitor the kiosk's condition.

City Manager Kunik noted Item D.1. contained a typo, noting the agreement would be approved by the Mayor rather than the Vice Mayor.

Councilmember Matthews **MOVED** approval of the Consent Agenda, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of August 21, 2019

C. Legal Department

1. Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered through August 29, 2019.
2. Monthly Litigation Report

D. Fire Department

1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving an Interlocal Agreement between the City and Charlotte County for the housing of Charlotte County Fire and Emergency Medical Services units at City Fire Stations 1 and 3; authorizing the Mayor to sign the Agreement on behalf of the City; and providing an effective date.

E. Urban Design Division

1. Request from Betzy Blaustein, The Friends of Gilchrist Park Playground to install a "Little Free Library" kiosk in Gilchrist Park playground area.
2. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Coastal & Heartland National Estuary Partnership (CHNEP), approving the Interlocal Agreement between the City of Punta Gorda and Florida Gulf Coast University to perform activities consistent with Punta Gorda's Comprehensive Conservation Management Plan (CCMP) on behalf of the CHNEP; authorizing the Vice Mayor to sign the agreement on behalf of the City; and providing an effective date.

F. Police Department

1. Application for 2019 Edward Byrne Memorial Justice Assistance Grant (JAG) Program – Local Solicitation for Livescan Fingerprinting Equipment
2. Lee County Mutual Aid Agreement

**Citizen Comments - Regular Agenda Items Only**

Ms. Ruby Ryan, Punta Gorda Boat Club (Boat Club) Commodore, stated the Boat Club was exploring options to manage parking should City Council elect to complete the Harborwalk prior to installing additional parking.

Mr. Tom Cavanaugh spoke in favor of delaying award of the contract for additional parking but moving forward with completion of the Harborwalk.

Mr. Craig Ivey requested Councilmembers disclose the details of a conversation or concept which led to discussion of delaying the Harborwalk Phase 2 project.

Ms. Mueller spoke against converting more of Gilchrist Park's greenspace into non-permeable parking. She suggested the City focus on implementing form-based codes as Dover, Kohl & Partners (Dover Kohl) recommended prior to continuing with such projects, noting Dover Kohl had also recommended leaving Gilchrist Park as it was.

Ms. Patti Allen, Fishermen's Village and 751 West Retta Esplanade, requested City Council reconsider moving forward with Phase 2B of the Gilchrist Park renovations, pointing out Dover Kohl had strongly recommended rethinking the concept plans.

### **BUDGET**

#### **Award of agreement to Pavement Maintenance, LLC of Fort Myers, FL for Harborwalk Area 2A & B improvements and appropriation of additional funds**

**October 1, 2019 (FY 2020)**

**CONTINUED FROM 8/21/19 MEETING**

City Manager Kunik stated this item was presented at the August 21, 2019 meeting, offering to answer questions.

Ms. Anne Heinen, Interim Procurement Manager, stated staff requested award of the agreement, appropriation of funds and direction for the asphalt pavement option.

**Councilmember Wein** confirmed the contract had to be rebid in order to proceed with completion of the Harborwalk without installation of additional parking, questioning the timeframe to do so.

Ms. Heinen replied thirty days for the bid period and a week for evaluation.

City Manager Kunik clarified it would be necessary to create the bid; therefore, rebidding the completion of the Harborwalk would take at least 60 days.

**Councilmember Wein** then inquired as to the process for proceeding with the parking in Phase 2 and how to control costs, clarifying staff could negotiate a change order for Council's approval. He questioned if the contract could be terminated in the case neither the change order's costs nor the initial plan was acceptable.

Ms. Heinen replied doing so would be difficult, explaining the City would be defaulting on a contract.

**Mayor Prafke** confirmed the contractor was willing to change the pavement materials rather than the design.

Ms. Kristin Simeone, Finance Director, advised the project would be returned to the engineering design firm in order to amend the project's materials; therefore, additional engineering costs would be incurred.

Discussion ensued with Councilmembers expressing hesitance to proceed with the project at this time due to concerns related to timing and the current plans' alignment with the Citywide Master Plan.

**Mayor Prafke** noted Council had decided to install additional parking to reduce negative impacts on surrounding neighborhoods, expressing uncertainty as to how project costs would be impacted.

City Manager Kunik stated if City Council wanted to proceed with the Harborwalk only, this bid must be rejected and staff directed to create such a bid package.

**Councilmember Cummings** confirmed Council could examine parking solutions for the Boat Club while completion of the Harborwalk was rebid.

**Councilmembers Matthews** pointed out the Boat Club had a lease with the City, speaking against leaving them without parking. She then requested staff provide a recommendation regarding the safety of permeable pavers.

**Councilmember Carey** commented the Boat Club would have to close for approximately one year due to construction.

**Mayor Prafke** requested staff examine the proposed parking relative to the recommendations in the Citywide Master Plan.

Councilmember Matthews **MOVED** rejection of award of the agreement to Pavement Maintenance, LLC, **SECONDED** by Councilmember Wein.

Voting Aye: Cummings, Carey, Matthews, Wein.

Voting Nay: Prafke.

**MOTION CARRIED.**

Councilmember Wein **MOVED** to instruct staff to move forward with a bid for the Harborwalk, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

City Attorney Levin clarified the concept referenced earlier was presented individually to Councilmembers, explaining the first time it was discussed was at the previous City Council meeting. He confirmed no documentation of any concept was presented to Councilmembers or staff.

### **City Hall Historic & Functional Building Evaluation Change Order #1**

City Manager Kunik requested appropriation of funds.

Mr. Simeone reported increased revenue from interest income would fund the change order.

Councilmember Matthews **MOVED** approval of Change Order #1 and appropriation of the funds, **SECONDED** by Councilmember Wein.

**MOTION UNANIMOUSLY CARRIED.**

## NEW BUSINESS

### City Priorities & Requests for 2020 State Legislative Agenda

City Manager Kunik explained projects to be included should be those ready for construction, noting staff wanted to request funds for Boca Grande drainage improvements and to inform the State legislature that the City supported the Florida League of Cities' legislative agenda. He stated if staff received Charlotte County's list, it would be presented to City Council for review by the October 2, 2019 meeting.

Councilmember Cummings **MOVED** approval of the legislative items as recommended by staff, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

### Halloween Traffic Plan - Historic District

Captain Justin Davoult, Police Department, displayed a map of the historic district depicting streets proposed for closure on Halloween. He briefly reviewed the 2019 Halloween plan, as delineated in the agenda material, noting the plan would be highly publicized to promote awareness of same.

Captain Norman Nahra, Police Department, explained street closures were proposed due to increased attendance, clarifying a portion of West Marion Avenue would be closed in addition to portions of adjoining side streets.

Police Chief Pamela Davis stated staff was seeking City Council support of the plan to promote pedestrian safety.

Captain Nahra clarified parking at First United Methodist Church would be open from Olympia Avenue only. He confirmed signage would be used to detour traffic.

Discussion ensued with Councilmembers expressing support for the plan.

### 1% Sales Tax Committee Additional Representatives

Ms. Melissa Reichert, Communications Manager, explained there was a gap in representation of organizations concerned with economic development and philanthropy. She requested the Economic Development Partnership (EDP) and Charlotte Community Foundation (CCF) each be granted a representative on the Committee, noting nominees would be announced for appointment at the September 18, 2019 Council meeting.

**Councilmember Carey** inquired as to the value of appointing a member from the CCF.

Ms. Reichert replied such philanthropic organizations provided an opportunity to explore pursuing projects as public-private partnerships.

**Councilmember Matthews** pointed out the EDP and CCF were noted in the Citywide Master Plan as agencies which could support its implementation.

**Mayor Prafke** clarified sales tax revenue would not fund philanthropic organizations' projects.

Councilmember Matthews **MOVED** approval of adding representatives from the EDP and CCF to the Sales Tax Committee, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

### **RECOMMENDATION FROM CITY OFFICERS**

#### **CITY MANAGER**

No comments.

#### **CITY ATTORNEY**

City Attorney Levin announced he had filed a brief in response to the challenge of City Council's approval of SE-01-19.

### **BOARDS AND COMMITTEES**

#### **Announcement of Vacancies**

Building Board - Alternate

Utility Advisory Board

Historic Preservation Advisory Board Alternate

Building Board

City Clerk Smith announced the vacancies.

#### **Nominations**

Board of Zoning Appeals (2)

Councilmember Matthews **NOMINATED** all interested parties.

Code Enforcement Board (2)

Councilmember Matthews **NOMINATED** all interested parties.

### **POLICY AND LEGISLATION**

**PRAFKE:** Thanked staff for their planning and preparation for Hurricane Dorian.

City Manager Kunik reported acoustifence at the pickleball courts would temporarily be left down.

- Announced the Budget Public Hearing would be held later this date at 5:01 p.m.

**CUMMINGS:** Wished the best for those who had been and would be impacted by Hurricane Dorian.

#### **MATTHEWS:**

- Reported the Florida Department of Transportation confirmed a left turn signal would be installed at the intersection of Aqui Esta Drive and U.S. 41.

- Noted a ceremony honoring first responders would be held at the Military Heritage Museum on September 11, 2019, at 12:00 p.m.

- Requested preparation of an agenda item to discuss housing the Peace River Wildlife Center at the City's Henry Street property.

**CAREY:** Reported the Charlotte County Airport Authority had reached an agreement for AeroGuard Flight School to use Hangar 115 and the auxiliary building.

- Commented on the importance of maintaining the historic City Hall building.

**WEIN:** Stated the Peace River Wildlife Center's Board of Directors had indicated they were interested in the Henry Street property.

- Requested the City provide assistance to the people of the Bahamas who had been devastated by Hurricane Dorian, suggesting residents consider donating hurricane supplies they no longer needed.

#### **CITIZENS COMMENTS**

Mr. Ivey commented negatively on the audio for the August 21, 2019 meeting, City Council's opacity in deferring a multi-million dollar project and operation of the bed and breakfast inn on West Retta Esplanade.

Ms. Kelly Liscum, Smugglers, stated they were collecting supplies for victims of Hurricane Dorian at Harpoon Harry's and the Captain's Table. She then commented on the availability of parking in the City.

Mr. Brad Gamblin expressed satisfaction related to hurricane relief efforts.

Ms. Mueller voiced concern regarding the outflow of traffic on Olympia Avenue during Halloween.

The meeting was adjourned at 10:37 a.m.

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Mayor

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City Clerk