

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 1, 2020, 9:00 A.M.**

COUNCILMEMBERS PRESENT: Carey, Cummings, Matthews, Miller, Prafke

CITY EMPLOYEES PRESENT: Kristin Simeone, Finance; Mitchell Austin, Urban Design; Melissa Reichert, Communications Manager; 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., noting the City was adhering to social distancing guidance.

Invocation was given by City Manager Kunik, followed by the Pledge of Allegiance.

Adoption of City Council Policy 2020- 01 (see agenda item VIII- A- 1 below)

Mayor Prafke announced it was necessary to adopt a new City Council policy for temporary emergency meeting procedures.

City Manager Kunik explained the emergency meeting procedures outlined in the policy, as delineated in the agenda material.

Councilmember Matthews **MOVED** approval of City Council Policy 2020-01 for the emergency meeting procedures, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

PROCLAMATIONS/PRESENTATIONS

Introduction of Board/Committee Member Nominees

Mayor Prafke noted nominations would occur once normal activities resumed.

City Manager Kunik read into the record the public comments received via email from Messrs. Fred Cort, Gary Skillicorn, Harry Wahlberg and Marty Blaustein regarding the Local Sales Tax Project list and Ms. Suzanne Graham regarding impact fees.

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

ORDINANCE/RESOLUTION

(No Public Hearing Required)

AX- 02- 19 An Ordinance of the City Council of Punta Gorda, Florida, annexing within the corporate area of the City of Punta Gorda, 16.33 +/- acres being a portion of Section 33, Township 41 South, Range 23 East, more particularly described in the boundary survey attached hereto, and addressed as 26150 Angelica Drive, 26041 Cuneo Road, 26021 Cuneo Road, in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; redefining the boundary lines of said City in conformance therewith; amending the official

boundary map of the City of Punta Gorda, Florida; directing the City Clerk to provide certified copies of this ordinance to the Charlotte County Clerk of Court, Charlotte County Administrator, Florida Department of State and Florida Office of Economic and Demographic research; providing for conflict and severability; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Councilmember Matthews **MOVED** approval of AX-02-19, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

AX- 03- 19 An Ordinance of the City Council of Punta Gorda, Florida, annexing within the corporate area of the City of Punta Gorda, 19.51+/- acres being a portion of Section 33, Township 41 South, Range 23 East, more particularly described in the boundary survey attached hereto, and addressed as 11220 Burnt Store Road, in accordance with the voluntary annexation provisions of Section 171.044, Florida Statutes; redefining the boundary lines of said City in conformance therewith; amending the official boundary map of the City of Punta Gorda, Florida; directing the City Clerk to provide certified copies of this ordinance to the Charlotte County Clerk of Court, Charlotte County Administrator, Florida Department of State and Florida Office of Economic and Demographic Research; providing for conflict and severability; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Councilmember Matthews **MOVED** approval of AX-03-19, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

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

MOTION UNANIMOUSLY CARRIED.

- A. City Clerk's Office
 - 1. Approval of Minutes: Regular Meeting of March 18, 2020
- B. City Attorney
 - 1. Invoice of Allen, Norton & Blue, P.A. for legal services rendered through February 29, 2020.
 - 2. Monthly Litigation Report

BUDGET

1% Local Option Sales Tax List of Projects

Ms. Melissa Reichert, Communications Manager, presented staff's recommended list of projects which combined the work of the Sales Tax Committee (Committee) and City Council's feedback from the March 15, 2020 meeting.

Expansion of Public Safety Building

Police Chief Davis and Fire Chief Briggs displayed a rough draft of a floor plan for the proposed expansion of the Public Safety Building, providing a brief explanation of the need for same.

Discussion ensued regarding the proposed expansion with consensus to move forward.

ADA Improvements – Citywide

Approved as recommended.

Historic District Infrastructure

Mayor Prafke noted this project would bring the project area up to the same standard as the rest of the historic district.

Approved as recommended.

Henry Street Property Improvements & Connecting Points of Interest

Councilmember Matthews inquired as to the division of the project between Tier 1 and Tier 2,

Ms. Reichert replied the project would be phased as plans were developed, with Council prioritizing the phases.

Councilmember Matthews expressed opposition to completing the project piecemeal, suggesting utilizing Fishermen's Village property sale monies.

Mayor Prafke objected to same, speaking in favor of reprioritizing and reallocating funds from another project.

Ms. Reichert pointed out the Peace River Wildlife Center might not be ready as quickly as other portions of this project; therefore, phasing might be an option.

Complete Street Improvements – Cooper Street & Airport Road

Mayor Prafke stated comments indicated this project would be significant for the future of the community, noting same would connect residents to a shopping center.

Councilmember Carey commented other areas lacked sidewalks or multi-use recreational trails (MURTs) which needed to be addressed, opining this project was a want rather than a need.

Councilmember Miller pointed out the Committee did not allocate funds to this project.

Councilmember Cummings commented favorably on the project as well as on allocating funds from this project to the Henry Street Property Improvements & Connecting Points of Interest Project as both promoted walkability.

City Manager Kunik explained the proposed MURTs were part of the original Punta Gorda Pathways plan to link all neighborhoods within the City. He stated the first priority was to complete the Airport Road link from US 41 to the Verandas while the Cooper Street MURT had been included as same would connect the neighborhoods along Cooper Street as well as Sallies Jones Elementary School, Punta Gorda Middle School and Charlotte High School. He spoke in favor of funding the Airport Road link portion of the project.

Mr. Mitchell Austin, Urban Design, explained the cost was approximately \$1 million, Discussion ensued with consensus of Council to separate the projects, to fund Complete Streets – Airport Road with impact fees and unspent existing sales tax funds allocated for the project and to allocate \$991,000 for Complete Streets – Cooper Street in Tier 2.

City Manager Kunik noted \$1 million was now available to reallocate in Tier 1.

Complete Street – US 17 Improvements

Councilmember Carey stated this project was not well received by the Committee; however, minimum funding was included to allow grant funds to be pursued.

Approved as recommended.

Historic City Hall

Deferred to later in discussion.

Harborwalk – US 41 Bridge Approach Lighting

Mayor Prafke stated this was a want rather than a need, inquiring if the Florida Department of Transportation (FDOT) would assist with the lights.

Mr. Austin responded FDOT would not fund decorative fixtures. He stated staff could discuss completing a portion of the project with the existing sales tax funds, suggesting FDOT and the Metropolitan Planning Organization might cooperate on the project if they received more details regarding same.

Councilmember Miller confirmed the lighting currently in place functioned but was not decorative.

Consensus was to move the project to Tier 2.

Henry Street Crosswalk

Councilmember Carey commented there was much support for this project in her district, adding it was necessary for public safety.

Consensus was to approve the project.

Henry Street Sidewalk

Approved as recommended.

Bayfront Activity Center

Approved as recommended.

Baynard/Vasco Sidewalk Improvements

City Manager Kunik explained the project, which would provide sidewalk connections, was conceived many years ago, noting FDOT previously indicated they would work with the City to construct a MURT; however, that project fell through.

Councilmember Matthews suggested the project be moved to Tier 2.

Councilmember Carey stated she had never passed a person walking or biking on Baynard Drive.

Drainage Improvements – Boca Grande Area

Councilmember Carey suggested it was time to move the project forward.

Discussion ensued with concerns expressed regarding public safety and a consensus was reached to move the project forward.

Shreve Street Complete Street Improvements

Approved as recommended.

Capital Project Management

Discussion ensued with consensus to spread the allocation over the various projects rather than as a separate project.

Freeman House Assessment and Renovations

Approved as recommended with consensus to use the word preservation in the title.

Historic City Hall

Discussion ensued with consensus to add preservation to the title and to move \$1,380,000 of Tier 1 funds into this project.

City Manager Kunik stated the assessment study of the City Hall would be presented in the near future.

Henry Street Property – Second round

Councilmember Matthews noted the Sidewalk Connections West Marion: Bal Harbor Boulevard to Shreve Street Project (Sidewalk Connections Project) was not included in the list presented this date.

Discussion ensued regarding potential funding sources for this project.

Mr. Austin stated the project's costs were driven by the need to acquire rights-of-way and to construct drainage, pointing out costs would be reduced if the condominium donated the easement. He noted drainage issues could increase costs significantly.

Mayor Profke suggested dollars could be allocated in Tier 2 in case the condominium was willing to donate the right-of-way.

Councilmember Carey inquired if funding the entirety of the City Hall Project freed up the \$1 million allocated for same in Tier 2.

Ms. Kristin Simeone, Finance Director, replied in the negative, explaining \$345,000 of those funds were made available; however, Council had allocated \$180,000 of same to the Bridge Approach Lighting Project. She confirmed Council desired to reallocate the \$180,000 to the Sidewalk Connections Project, which made available approximately \$345,000 of Tier 2 funds for the Sidewalk Connections Project.

Consensus was to allocate said funds to the Sidewalk Connections Project.

Ms. Reichert stated there was no consensus regarding the Henry Street Property Improvements Project, noting no funds remained unallocated. She inquired if Council found same acceptable.

Mayor Profke opined there was no other option at this time, adding if the project needed to be phased, it should be done in the least disruptive way. She suggested users of the dog park could form a group to study the park, provide recommendations and raise funds.

Ms. Reichert concurred, concluding Council would have an opportunity to provide direction regarding phasing.

Refinance of City's 2012 Revenue Note (pledged TIF revenues)

Discussed during Community Redevelopment Meeting – see corresponding minutes.

NEW BUSINESS

Reconsideration of May 20, 2020 Effective Date for Development Impact Fees

City Manager Kunik inquired whether City Council wanted to reconsider phasing the implementation of the development impact fees.

Councilmember Matthews suggested providing an additional 60 days before implementing the fees to benefit anyone intending to start new construction.

City Attorney Levin advised a full public hearing would be necessary in order to amend the ordinance, suggesting administratively allowing a sixty-day grace period for payments instead.

Discussion ensued regarding deferring implementation versus allowing a grace period for payments.

Councilmember Carey **MOVED** approval of establishing a grace period for payment of impact fees for a period not to exceed 60 days from the implementation date of May 1, 2020, **SECONDED** by Councilmember Miller.

VOTING AYE: Carey, Cummings, Miller, Profke.

VOTING NAY: Matthews.

MOTION CARRIED.

NOTE: A short break was called at 11:09 a.m.

Taylor Road Fortran RV Project Regarding Utility Service Availability

City Manager Kunik stated staff had been approached regarding installation of a force main to the development, noting staff had met with Weiler Engineering some time ago, and comments were provided in the agenda material.

Mr. Jeff Weiler, Weiler Engineering, stated the issue was the City wanted the commercial park to install a central sewer system, which was cost prohibitive, as opposed to a low pressure system. He expressed desire for the City to allow flexibility in the type of system installed and to participate in costs for installation of the force main, stating the City would recover costs through collection of connection fees. He opined installation of the force main would promote development in the area. He suggested a developers agreement could be drafted to include provisions for the developer to pay for installation up front and be reimbursed later, adding property owners could be allowed to construct on-site or vacuum sewer systems.

City Manager Kunik stated vacuum sewer would be considered for Charlotte Park, adding the cost for gravity sewer was greater up front but less to maintain. He stated staff could work with Weiler Engineering to prepare a plan for the area, estimate associated revenues and expenses and draft a developers agreement, which could be presented to the Utility Advisory Board prior to City Council.

Councilmember Cummings opined the City would benefit financially from this project as the City would gain long-term customers.

Councilmember Carey inquired why this item was not presented to the Utility Advisory Board (UAB).

Mr. Weiler replied the item had been included for discussion and to receive Council's support to proceed to the UAB, asserting the City had not been willing to consider vacuum sewer systems previously.

City Manager Kunik stated staff had not emphasized low pressure systems as they were less costly to install but more costly to maintain; however, vacuum systems were a good alternative. He concluded staff would meet to develop a plan for the project and then present same to the UAB for a recommendation for Council's consideration.

Discussion of amending declared state of emergency to address property damage and insurance matters.

Councilmember Cummings explained adding language regarding damage caused by the coronavirus would allow businesses to maximize their insurance claims.

Councilmember Carey questioned if the amendment would result in increased premiums.

Councilmember Cummings replied in the negative. He then stressed businesses would benefit from the proposed amendment, explaining “damage” constituted surfaces which had been contaminated to the extent mitigation would be required in order for the public to feel comfortable.

Councilmember Carey confirmed language regarding damage needed to be added to the emergency ordinance in order for businesses to make related claims.

City Attorney Levin stated he was unable to find where cities had provided rationale for including such language in their resolutions, expressing uncertainty as to how this would benefit the City or impact its liability. He stated Mr. Phil Wickstrom, Human Resources Manager, had questioned the City’s insurance carriers regarding same but had not received a response; however, he had expressed opposition to adoption of the proposed language.

Councilmember Cummings inquired whether the City had the authority to issue a shutdown order.

City Attorney Levin replied that legal issue had not been settled; however, he believed he could defend such action if Council decided to issue such an order.

Consensus was to not pursue an amendment.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

City Council Policy 2020- 01 - Interim Meeting Procedure during Declared State of Local Emergency - Novel Coronavirus Disease (COVID- 19)

Discussed above.

City Manager Kunik confirmed the April 15, 2020 meeting would include an update on the City Manager search, adding an alternate plan for conducting interviews might be presented for Council’s consideration depending on how the current pandemic situation progressed through May.

CITY ATTORNEY

City Attorney Levin reported the Vlcko case was still pending.

BOARDS AND COMMITTEES

Announcement of Vacancies

Punta Gorda Housing Authority (2)

City Clerk Smith announced the vacancies.

POLICY AND LEGISLATION

PRAFKE: Inquired as to a sign placed by Monty’s Pizza.

Ms. Hannon explained a Code Compliance Officer had informed Monty's Pizza their flutter flag was prohibited but a banner sign was acceptable, explaining staff was trying to help businesses by issuing permits for banners.

Councilmember Carey stated many boat lift service yard signs were being utilized.

Ms. Hannon responded as per City Council direction, signs on residential properties were not being removed.

- Thanked individuals who were helping to get the message out about maintaining physical distance to promote safety.

MATTHEWS: Encouraged the public to take the coronavirus seriously and adhere to guidelines from the Centers for Disease Control and the Health Department.

CAREY: Commented favorably on staff's performance given the changes to their work environments.

MILLER: Concurred, calling on everyone to stay the course.

The meeting was adjourned at 12:01 p.m.

Mayor

City Clerk