

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, FEBRUARY 3, 2021, 9:00 A.M.**

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

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

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

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

Mayor Matthews called for public comments.

City Manager Murray read into the record an emailed comment from Ms. Betzy Blaustein, Friends of Gilchrist Park, requesting the existing splash pad at Lashley Park be made into a large interactive splash pad.

PROCLAMATION/PRESENTATIONS

St. Vincent De Paul Day

Mayor Matthews presented the proclamation, which was accepted by Ms. Joe-Ann Pierre, St. Vincent De Paul District President.

Introduction of Board/Committee Member Nominees

There were none.

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

PUBLIC HEARINGS

None.

QUASI- JUDICIAL PUBLIC HEARINGS

None.

ORDINANCE/RESOLUTION

No Public Hearing Required

None.

CONSENT AGENDA

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

MOTION UNANIMOUSLY CARRIED.

A. City Clerk's Department

1. Approval of Minutes: Regular Meeting of January 20, 2021

- B. Legal Department
 - 1. Monthly Litigation Report
 - 2. Invoice of Allen, Norton & Blue, P.A. for Annual Labor Retainer Fee
- C. Finance Department
 - 1. A Resolution of the City of Punta Gorda, Florida, approving Amendment 3 to Loan Agreement DW080310 between the City of Punta Gorda and Florida Department of Environmental Protection; providing for conflict, severability, and effective date.
- D. Urban Design Division
 - 1. A Resolution of the City Council of the City of Punta Gorda, Florida, repealing Resolution No. 3470-2020 and adopting an updated City of Punta Gorda Americans with Disabilities Act (ADA) Transition Plan (FY 2020 Update); and providing for an effective date.

BUDGET

Award of Purchase Contract to Rev RTC of Ocala, FL for a 2021 E- One HP 76' Aluminum Aerial Ladder Truck

Ms. Anne Heinen, Procurement Manager, stated the Fire Department was seeking to purchase a new aluminum ladder truck, explaining five manufacturers were considered and seven dealerships had been contacted. She indicated of the four responses received, two met the Fire Department's specifications. She stated Rev RTC submitted the lowest quote at \$816,835 and had offered a \$25,000 discount with a performance bond issued to the City at no additional expense if paid in full within 30 days of the purchase order. She concluded the Finance Department had approved the prepayment discount which brought the total cost to \$791,835 with delivery within one year, requesting City Council approval to piggyback Sourcewell Contract #022818 and to award the purchase contract to Rev RTC.

Councilmember Prafke inquired as to the \$25,000 prepayment discount.

Ms. Kristin Simeone, Finance Director, recalled trucks had been purchased in the past with a discount, adding the low interest rate made the discount financially attractive. She then confirmed the life expectancy of a fire truck was 7 to 10 years.

Mayor Matthews inquired as to buildings taller than the truck's ladder.

Mr. Ray Briggs, Fire Chief, explained there were buildings in many areas that were taller than fire apparatus, pointing out such buildings had safety systems in place.

Discussion ensued regarding the use of fire apparatus.

Councilmember Prafke **MOVED** approval to piggyback the Sourcewell Contract #022818 and award of the purchase contract to Rev RTC of Ocala, FL for a 2021 E-One HP 76' Aluminum Aerial Ladder Truck, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

UNFINISHED BUSINESS

None.

NEW BUSINESS

Temporary Use Permit TU- 01- 2021: Overflow Parking at 1000 West Marion Avenue

Ms. Lisa Hannon, Zoning Official, explained staff had received a request from Fisherman's Village and the Military Heritage Museum to utilize the property at 1000 West Marion Avenue as informal overflow parking for 18 months, noting there would be approximately 140 parking spaces. She briefly reviewed the current site conditions. She stated no permanent improvements were proposed by the applicant, reviewing the proposed parking schematic. She concluded staff recommended approval of the request with the following public safety conditions: (1) wheel stops installed along the side of the property where the fence abutted the stormwater pond; (2) retro-reflective markers installed on the fence which abutted the stormwater pond; (3) additional fencing with retro-reflective markers installed along the open area of the stormwater pond which faced West Retta Esplanade; (4) no modifications to existing land surface, such as shell, gravel, rock, pavers, asphalt or concrete; (5) six additional Americans with Disability Act (ADA) accessible parking spaces at 1200 West Retta Esplanade and/or 900 West Marion Avenue (Building Department requirement); (6) installation of traffic rated bollards to protect the existing power stations (Fire Department requirement).

Councilmember Carey inquired as to the six additional ADA accessible parking spaces.

Ms. Hannon replied the spaces could be split between the Fishermen's Village and Military Heritage Museum properties, pointing out golf cart shuttle service could be provided if spaces were constructed on the existing concrete pad on site.

Ms. Patti Allen, Fishermen's Village, stated the concrete pad had been measured and an additional four ADA spaces could be accommodated at 1000 West Marion Avenue. She pointed out the informal parking was for overflow and would mostly be used by employees.

Councilmember Prafke inquired if the City would be indemnified.

Ms. Allen responded Fishermen's Village carried full general liability insurance on all of its properties, stating the proposed parking would be no different than parking on the grass elsewhere. She advised the additional parking was not intended to be used during the summer when it rained but rather for three to four months during season.

Councilmember Prafke questioned what plans were in place to ensure the property would be maintained with grass cover.

Ms. Hannon replied the applicant was required to maintain the property with ground cover.

Mayor Matthews confirmed the parking spaces would be marked. She then questioned what would occur following conclusion of the 18-month period requested for the temporary use permit.

Ms. Allen replied there were plans to eventually develop the parcel.

Councilmember Prafke **MOVED** approval of TU-01-2021 with the recommended public safety conditions, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Participation in 2021 State Legislative Session

Mayor Matthews announced the House of Representatives and Senate had imposed COVID-19 protocols and procedures for the upcoming Legislative Session, including limitations on the numbers of people allowed in the buildings, noting telephonic and video conferencing with legislators were the preferred methods of contact.

Discussion ensued with consensus not to attend in person.

City Manager Murray announced he recently spoke to Mr. Jerry Paul regarding the water project.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

City Manager Murray recognized Mr. Mark Gering, who was retiring from the City, for all his hard work.

Mr. Gering recounted his history with the City and introduced Mr. Brian Clemons, new City Engineer.

Councilmember Prafke thanked Mr. Gering for his assistance and collaboration.

City Manager Murray stated he was working on preparation of the budget and planned to provide an update on his first 180 days with the City as well as plans for the future.

Mayor Matthews inquired as to the ordinance regarding street closures.

Ms. Hannon replied all street closure requests would be reviewed by the Development Review Committee and City Council, adding she had not yet begun the process to amend the ordinance and event manual to limit street closures to one or two per year.

Mayor Matthews questioned how to address applicants who did not adhere to approved safety plans, noting she had received many complaints regarding the large numbers of closely-packed attendees and the lack of face masks worn at the Chili, Beer and Blues Festival.

Ms. Hannon responded the City had no ability to issue citations to the event organizer since there was no enforcement mechanism per the Governor's Executive Order.

Mayor Matthews inquired as to withholding future permit approvals for failure to adhere to safety plans.

City Attorney Levin advised an emergency ordinance could be drafted to require compliance with the specific conditions of an event permit with failure to comply resulting in a Punta Gorda Code violation, stating same would not necessarily violate the Governor's Order as it concerned enforcement of a permit.

Mayor Matthews voiced concern regarding public safety, stressing the City could not risk a super spreader event. She opined the event organizer should be notified there were complaints.

City Manager Murray stated it was necessary to identify what constituted a violation.

City Attorney Levin suggested inspectors would be required, particularly for a large crowd, adding the draft ordinance could include a violation baseline that would prevent an applicant from receiving subsequent event permits for a specified period of time as a penalty.

CITY ATTORNEY

City Attorney Quarterly Litigation Update

City Attorney Levin provided a litigation update on the Vlcko case, the 295 Belaire Court forfeiture and the Shoreline Foundation case.

CITY CLERK

Community Action Agency Advisory Board

Mayor Matthews announced Mr. Phil Wickstrom previously served on the Community Action Agency Advisory Board (CAAAB) but had recently retired; thus, she had offered to serve. She stated she attended the January 2021 meeting, at which time there was a change to the meeting schedule which conflicted with her schedule. She stated she had discussed the matter with City Clerk Karen Smith who had offered to serve.

Discussion ensued with consensus to appoint City Clerk Smith to serve.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals Alternate (2)

Building Board - Alternate

Utility Advisory Board

Punta Gorda Isles Canal Advisory Committee

Deputy Clerk Welch announced the vacancies.

Nominations

Code Enforcement Board

Councilmember Prafke **MOVED** to nominate and appoint Mr. Roland Ericsson, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Historic Preservation Advisory Board

Councilmember Prafke nominated all interested parties.

Punta Gorda Isles Canal Advisory Committee

Councilmember Miller **MOVED** to nominate and appoint Mr. Ronald Ludvig, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Appointments

None.

POLICY AND LEGISLATION

MATTHEWS: Announced a Do the Right Thing ceremony would be held on Thursday, February 4, 2021, at 3:00 p.m. at the Military Heritage Museum.

MILLER: No comments.

CAREY: Reported at the January 28, 2021, Coastal and Heartland National Estuary Partnership (CHNEP) Policy Committee meeting, it was announced the National Estuary Program (NEP) had been fully funded by Congress for 2021, noting for every dollar received from Congress, \$19 was used on restoration throughout the NEPs. She stated CHNEP covered 10 counties and 25 cities, noting funding addressed a variety of projects.

- Stated she attended the January 29, 2021, Punta Gorda Housing Authority meeting, commenting positively on their work.

PRAFKE: Announced the World Pickleball Championship at the PicklePlex began this date with the tournament beginning on Thursday, February 4, 2021.

CUMMINGS: Commented the City was better for Mr. Gering's service.

CITIZENS COMMENTS

No further comments.

The meeting was adjourned at 11:01 p.m.

Mayor

City Clerk