

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, MARCH 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; Jeff Payne, 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 thanked Fire Chief Ray Briggs for his efforts in working with Charlotte County to set up a COVID-19 vaccination site in the City.

City Manager Murray read the following public comments received via email: Mr. Carl Parsons, Mr. John Jasminka, Ms. Yvonne Reutlingen, Team Punta Gorda, Mr. Dennis Camaro, an unidentified individual, Ms. C. J. Metcalfe, Ms. Julie McGillivray and Ms. Maggie Setoff voiced their opinions regarding the proposed sign code; Ms. Cynthia Fisher objected to the mask mandate.

PROCLAMATION/PRESENTATIONS

Marian Cohen Ugoretz Day

Mayor Matthews presented the proclamation, which was accepted by Former Vice Mayor Gary Wein.

Introduction of Board/Committee Member Nominees

None.

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

PUBLIC HEARINGS

GA- 01- 2021 An Ordinance of the City of Punta Gorda, amending the City of Punta Gorda Firefighters' Retirement System, as adopted by Ordinance 879- 87 and as subsequently amended, is hereby further amended to provide for compliance with the SECURE Act; repealing all ordinances in conflict herewith, providing for severability, and providing for an effective date. FIRST READING

City Attorney Levin read the ordinance by title and explained the proposed amendment would bring the Plan into compliance with recent changes under Section 401(a)(9) of the Internal Revenue Code, noting a statement of no impact had been provided by the Plan's actuary.

Mayor Matthews called three times for public comment.

Councilmember Prafke **MOVED** to close the public hearing, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of the proposed ordinance amendment, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

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 Carey.

MOTION UNANIMOUSLY CARRIED.

- A. City Clerk's Department
 - 1. Approval of Minutes: Regular Meeting of February 17, 2021
- B. Legal Department
 - 1. Monthly Litigation Report
 - 2. Invoices of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for legal services rendered through February 18, 2021
- C. Police Department
 - 1. Application for Coronavirus Emergency Supplemental Funding (CESF) Program Residual Funding Opportunity

BUDGET

Award of Agreement to Charles Perry Partners, Inc. of Gainesville, Florida for Job Order Contracting Services for ADA & Security Enhancements and Upgrades at City Facilities

Ms. Julie Rogan-Sutter, Procurement, explained the process for soliciting services for various Americans with Disabilities Act (ADA) technology and security upgrades to city-owned facilities, noting the project included sensitive security information and was exempt from public disclosure. She briefly reviewed the job order contracting procurement method, as delineated in the agenda material. She stated three companies were considered with staff recommending Charles Perry Partners, Inc. for their favorable references and because the firm had a local office in Ft. Myers, Florida. She stated the total lump sum cost for the project was approximately \$790,493 which included the base bid of \$661,470, contingency of \$92,703, building permits at a cost

of \$10,020 and construction services at a cost of \$26,300. She stated this was a large project with multiple funding sources, much of which had been previously allocated and carried over, noting contingency funds would be utilized by the departments for approved change orders. She concluded the timeline for completion was 277 calendar days after issuance of a notice to proceed. She reiterated staff recommended award of the Agreement for a Specific Authorization #1/B2020104, to Charles Perry Partners, Inc. of Gainesville, Florida with appropriation of the remaining funds to complete the project.

Councilmember Carey inquired how this project would be integrated with the City Hall renovation.

City Manager Murray replied the City Hall renovation was a separate project; however, all systems would be integrated. He then stated the efficiencies of completing the security enhancements at the same time as the ADA projects resulted in some cost savings.

Ms. Simeone noted appropriations were distributed among the various funds as it was a citywide project, explaining appropriations were proportionate by department.

Councilmember Praefke **MOVED** approval of award of the agreement to Charles Perry Partners, Inc. of Gainesville, Florida, and appropriation of the funds, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

UNFINISHED BUSINESS

Sign Code Draft

Ms. Lisa Hannon, Zoning Official, explained the purpose of the revised sign code was to provide standards and requirements which were content-neutral, provided consistency and promoted public health, safety and welfare, noting content-neutral meant signs could only be regulated for size, location and quantity. She reviewed examples of the primary sign types for residential areas as well as commercial and mixed-use areas along with the size restriction, placement, time limits and any other requirements for each, as delineated in the agenda material. She reviewed the information for flags, noting 2 poles per parcel with 2 flags per pole was currently allowed.

Mayor Matthews confirmed the intent was to allow 4 flags and 4 signs, noting several individuals strongly opposed same.

Ms. Hannon completed the review of the commercial sign types. She then stated items for consideration included temporary signage (time limits for free standing and yard signs), sign sizes/area and Interchange Commercial Sign standards (whether to

amend). She stated the next step was adoption which included review by the Planning Commission and public hearings.

Councilmember Carey stated some residents voiced a preference for fewer signs with permits required at a fee of \$100. She objected to the number of signs allowed on a large commercial parcel as it was not aesthetically pleasing.

City Attorney Levin explained the US Supreme Court had said allowing too few signs was an unreasonable restriction of free speech. He opined between two and four signs on a residential property might be permissible and withstand a challenge. He reported he had reviewed ordinances from across the country which attempted to meet the dictates of the US Supreme Court's 2015 decision in *Reed v. Town of Gilbert*; however, there was no set number or size that must be met in order to be consistent with the constitutional limitations. He stated constitutional dictates from the US Supreme Court oftentimes met with objections from the citizens who were affected by it, stressing Supreme Court decisions were the law of the land, and municipalities which had not addressed their sign codes were at risk of running afoul of the Constitution. He stated the Planning Commission had questioned freedom of speech and how obscenity, profanity and defamation could be regulated, explaining the US Supreme Court indicated while freedom of speech had its limits, it did not embrace certain categories of speech, such as defamation, incitement and obscenity. He pointed out most of the signs and flags City Council had recently heard objections to were not considered obscenity under the US Supreme Court's definition of same. He suggested the sign code could include a provision prohibiting obscene material, which would need to be defined; however, profanity could not be prohibited, adding a definition could also be included for defamation. He stated the Planning Commission voiced concern holding and twirling signs were permitted, advising if same were on a sidewalk or on private property, those activities were a first amendment right. He noted the Planning Commission desired the revised sign code to be reviewed within a year after adoption, to see pictures of what the sign code would allow and to see other US Supreme Court rulings on sign codes. He indicated there had been no US Supreme Court rulings on sign codes since *Reed vs. Town of Gilbert*, reiterating it was the law under which the City must operate.

Mayor Matthews suggested the City Attorney attend the Planning Commission meeting when they discussed the draft sign code, voicing concern regarding comments made about City Council at their January 25, 2021, meeting. She opined allowing four signs and four flags was excessive, requesting inclusion of language addressing the physical condition of signs and flags.

City Attorney Levin stated the number of flags could be included within the total number of signs allowed.

Councilmember Prafke concurred regarding comments made by the Planning Commission about City Council, requesting a page by page review of the draft code.

NOTE: A brief recess was called at 10:24 a.m.

Councilmember Prafke recommended the draft address defamation, obscenity and incitement.

Councilmember Carey inquired as to rationale for including Sub-paragraph 11.1(a)(9), which indicated one purpose of the sign code was to provide an improved visual environment within the City.

City Attorney Levin replied the City was providing some degree of content-neutral restrictions on speech, explaining even permissible restrictions needed to be for the benefit for a reasonably related public purpose.

NOTE: A brief recess was called at 10:40 a.m. due to technical difficulties.

Councilmember Prafke drew members' attention to page 2, inquiring as to signs for pest control, noting some were required by law, suggesting security signs, which could be a window sticker or in the front yard, not be included in the count.

City Attorney Levin suggested such signs could be included under Sub-paragraph 11.2(b)(10), which concerned public and private regulatory and warning signs.

Councilmember Prafke spoke in favor of including language to clarify Paragraph 11.1(a)(9) applied to commercial and residential properties.

City Attorney Levin proposed amending Paragraph 11.2(b) to read as, "Exclusions. The following are excluded from the regulations and requirements of this Article, whether on commercial or residential property."

Councilmember Prafke drew members' attention to Sub-paragraph 11.2(b)(6) which concerned outdoor art, questioning whether art and decorative signs which could be viewed from canals would count toward the total allowed signs.

City Attorney Levin replied he had proposed a modification to exclude murals from Sub-paragraph 11.2(b)(6) and instead regulate outdoor murals as iconic signs pursuant to Section 11.15, elaborating signs and murals not visible from a public space were excluded from the requirements.

Mayor Matthews opined a "welcome" sign should not be included in the sign count.

City Attorney Levin stated if the sign was within the footprint of the house, same would not be regulated; however, if someone wanted to paint "welcome" on the front of their house same would need to be regulated for consistency, otherwise, the City was regulating content.

Mayor Matthews and **Councilmember Carey** expressed dissatisfaction with regulating signs which were decorations.

Ms. Hannon inquired if a sign would be considered within the footprint of a home when placed within a screened porch.

City Attorney Levin replied it would be within the footprint of the home and was unlikely to be visible from the public right-of-way.

Ms. Hannon suggested a wreath could be exempt as part of a holiday decoration.

City Attorney Levin replied same was already included, stating wreaths which included a message not associated with a holiday would be considered signs.

Councilmember Prafke suggested it be included as outdoor art.

City Attorney Levin agreed he was willing to defend same, pointing out a situation would likely emerge where a resident placed a fifth sign on their property and claimed same was outdoor art.

Councilmember Prafke questioned if the definition of "outdoor art" should be clarified.

Ms. Hannon replied staff could do so.

Councilmember Prafke then drew members' attention to Sub-paragraph 11.6(b)(2) which concerned multi-faced signs.

Ms. Sharon Neuhofer, Punta Gorda-Port Charlotte-North Port-DeSoto Realtors, Inc., opined triangular signs were useful to realtors.

City Attorney Levin stated Sub-paragraph 11.6(b)(2) could be amended to increase the number of faces from two to three and allow the area of the sign to be considered the area of the larger face, confirming the draft sign code currently required the area of each face of a sign with more than two sides to be added in order to calculate the sign's total area.

Councilmember Prafke drew members' attention to Paragraph 11.10(d), confirming a flagpole in the backyard which was visible from other properties would be included in the total count allowed. She then drew members' attention to Sub-paragraph 11.10(h)(5), adding it had been suggested a permit and a fee should be required for more than two signs and that the permit should be limited to 90 days.

Mayor Matthews disagreed, opining same was too limiting. She suggested a total of 4 signs, including flags, was the appropriate number.

Councilmember Miller inquired if a total of two signs and two flags would be acceptable.

City Attorney Levin replied same might be acceptable, stating allowing a total of four signs which could be split between signs and flags could be defensible. He concluded Councilmembers needed to be comfortable with the number selected.

Ms. Neuhofer requested open house sign and realtor signs be in a separate category.

Mayor Matthews advised same was not permissible as it was based on content.

City Attorney Levin questioned if there was consensus as to the number of allowed yard signs, inquiring if flags should be included in the total number.

A lengthy discussion ensued regarding the maximum number of signs allowed and whether to include flags in the total number allowed.

The City Attorney advised one flagpole with a yardarm pole allowed four flags on one pole, which was equivalent to two poles each with two flags. He clarified if four flags were displayed, no additional signs could be displayed in the yard.

Mayor Matthews confirmed there was consensus on that point.

Councilmember Prafke stated regarding the allowed number of freestanding signs in Paragraph 11.11(j), a realtor had indicated 2 to 3 signs would be adequate.

City Attorney Levin stated he and Ms. Hannon had discussed how to limit congregation of all the allowed freestanding signs for commercial property in one location.

Ms. Hannon stated an alternative calculation would be to allow one sign per street frontage with additional signs allowed based on total linear feet of street frontage, such as allowing an additional sign for every 100 feet of street frontage.

Mayor Matthews expressed uncertainty whether same was appropriate, voicing concern political candidates would not be aware of the City's sign code.

Ms. Hannon stated staff could provide the City's sign code to the Supervisor of Elections for distribution to candidates.

Councilmember Prafke inquired if signs could be amassed in one area or would need to be spread out.

Ms. Hannon replied the intent was to allow it either way.

Discussion ensued regarding placement of signs based on street frontage.

Councilmember Carey voiced concern the City was changing the code based on a 45-day election cycle, requesting the code help prevent sign clutter year-round.

City Attorney Levin explained since commercial parcels were typically larger than residential, theoretically they could hold more signs; thus, staff had suggested a maximum of five signs per acre. He stated a congregation of those signs could become a problem so he had proposed language to limit five signs within one acre of land.

A lengthy discussion ensued regarding the number of signs which should be allowed on commercial parcels, with City Attorney Levin questioning if Council desired inclusion of the words, "and only 5 signs within 1 acre of land," to limit congregation of signs.

Councilmember Cummings commented as the County seat, the City had to allow a certain degree of energy downtown.

Ms. Hannon stated commercial signs, including freestanding signs, would require permits unless City Council directed otherwise.

Mayor Matthews stated City Council had stated permits should not be required for freestanding signs.

Ms. Hannon clarified City Council had indicated permits should not be required for residential yard signs.

Mayor Matthews recalled City Council had discussed the fact political campaign workers monitored who provided approval for signs to be placed on their property, indicating it would be redundant and time consuming to be required to do more than that. She opined some property owners would be unwilling to go through a permitting process to place a sign.

Ms. Hannon questioned if freestanding signs could be exempt from permitting.

City Attorney Levin replied affirmatively. He explained permitting would provide an opportunity to regulate the number of signs placed and for property owners to track the sign permissions they provided.

City Manager Murray noted basing calculations on linear footage of street frontage could reduce the total number of signs allowed on a commercial property, adding signs could be required to be spaced along each street.

Councilmember Prafke stated the property owner was not going to track who was allowed to place a sign on US 41 Northbound. She opined basing calculations on acreage would be simpler, questioning how many signs would be allowed on the City Marketplace property if 3 signs per acre were allowed.

City Manager Murray replied 10 or 11 signs.

Mayor Matthews expressed preference to allow 4 signs per acre.

City Attorney Levin questioned if City Council also desired only 4 signs be allowed within one acre of land.

Councilmember Prafke expressed preference to allow 3 signs per acre.

Councilmember Miller stated 3 or 4 signs per acre was acceptable.

Councilmember Cummings spoke in favor of allowing a minimum of 4 signs per acre.

Mayor Matthews stated 11.11(b) should be amended to allow 4 signs per acre.

Councilmember Prafke then drew attention to Section 11.15, speaking in favor of striking the language which limited iconic sign regulations to the Community Redevelopment Agency from the first paragraph.

Councilmember Miller concurred.

Councilmember Prafke inquired as to open house arrow signs.

Ms. Hannon replied same would need to be counted as one of the four signs allowed.

Councilmember Prafke inquired if same could be placed in the right-of-way (ROW).

Ms. Hannon replied signs in the ROW were prohibited unless they were approved as part of a special event.

Ms. Neuhofer asserted open house directional signs were vital to realtors, expressing desire for same to be allowed in the ROW even if a permit was required.

Mayor Matthews pointed out off-premises signs had not been permitted for some time.

Ms. Neuhofer spoke in favor of finding a way to make the signs allowable, indicating the realtors were willing to discuss the matter further.

City Attorney Levin inquired as to how open house signs could be allowed while avoiding content-based regulations and special treatment under the Punta Gorda Code, noting real estate signs had triggered the legal challenges in the first place.

Mayor Matthews added if open house signs were allowed in the right-of-way for realtors, any individual's signs would need to be allowed.

Ms. Neuhofer reiterated her desire for open house signs to be allowed, questioning if an open house could be classified as an event.

Mayor Matthews suggested Ms. Neuhofer meet with City staff, expressing doubt the open house signs could be permitted as regulations needed to be content neutral.

Councilmember Miller inquired if a permit system was a viable solution.

City Attorney Levin replied affirmatively, provided the permit system was available to anyone.

NEW BUSINESS

Street Closure Policy

Ms. Hannon recalled recent City Council discussion regarding street closures for downtown events and their impact on surrounding commercial and residential establishments, noting staff had been requested to develop a policy potentially limiting the number of street closures permitted. She drew attention to the list of criteria which could be required for applicants to satisfy as well as the street closure fee structure from 2011, as delineated in the agenda material. She questioned if City Council desired to adopt a market-based approach where the rental fee structure

might limit the number of street closure requests made, requesting direction from City Council on the list of criteria as well.

NOTE: A short break was called at 11:49 a.m. due to technical difficulties.

City Manager Murray noted if City Council desired to differentiate between the types of events permitted, what constituted a public event versus a private event would need to be clarified.

Councilmember Miller expressed support for a fee schedule.

Councilmember Prafke stated she received feedback indicating for-profit fees should be increased and non-profit fees should be decreased. She stated she did not want to see for-profit businesses use non-profit organizations to conduct the event.

Ms. Hannon advised currently any events jointly organized by for-profit and not-for-groups were charged the for-profit rate.

Councilmember Cummings expressed concern the change might result in increased street closures.

Councilmember Carey stated she would like to see language which was proactive in protecting existing businesses against disruption from events.

Mayor Matthews concurred. She then stated she did not want to see requests coming before Council every month, adding the requests would not stop until a policy was established. She suggested a rental fee and refundable security deposit be put in place. She expressed dissatisfaction with the implication a business would ask a non-profit organization to close the street next time. She reiterated her agreement events should not be disruptive to nearby businesses, voicing support for establishing a street closure policy with a limit on the number of times street closures could be requested each year.

City Manager Murray recalled discussion of who was the principal beneficiary of a street closure, adding it was necessary to define how closures for an event like the farmer's market differed from closures for a private business's event.

Mayor Matthews opined certain events should be grandfathered, such as the Farmers Market, the Sullivan Street Craft Fair and the Block Party.

City Manager Murray commented the principal beneficiary of those events was the general public.

Councilmember Carey stated such a policy did not protect small businesses.

Councilmember Miller disagreed, pointing out there were parameters around the timing of events, maintenance of traffic and other criteria.

Mayor Matthews confirmed there was consensus to charge a fee.

Councilmember Miller opined staff should determine the amount, stressing the fee should not be less than the cost to the City.

Mayor Matthews inquired if any not-for-profit organizations would want to close the street.

Ms. Hannon replied there were some not-for-profit organizations such as the Punta Gorda Chamber. She stated staff had revamped the fee schedule, with a fee of \$500 each day for not-for-profits (Category 1) and \$750 each day for for-profits (Category 2), adding a resolution was required to adopt any fees. She stated staff included a cleaning/damage deposit of \$1,000 regardless of the organization type with the maintenance-of-traffic (MOT) fee being the actual cost invoiced by Public Works which would be due and payable two weeks prior to the event. She stated other City services such as Police and Fire details were invoiced and were already included in the Event Manual. She stated the street rental fees could be raised or lowered at City Council's direction, noting City Council had exempted certain events from the street closure rental fee; however, any MOT costs and/or City staff services would be paid by those entities.

Mayor Matthews stated she was amenable to continuing the existing exemptions.

Councilmember Prafke agreed.

Councilmember Carey inquired as to fallout for enforcing the 60-day timeframe.

Ms. Hannon replied half of the events would not take place, adding staff strongly encouraged early submission each year but had been lenient regarding same.

Councilmember Carey voiced concern there was not enough time to fully vet the event to determine the ramifications.

Ms. Hannon stated staff included a provision that applications received 21 days or less prior to the event would not be accepted, stating an alternative was to assess a late fee. She stated there were few issues with the annual events.

Councilmember Carey stated she would like to see first time events meet the 60-day deadline.

Mayor Matthews agreed.

Councilmember Cummings voiced concern regarding not being event friendly, opining event's final confirmation may be within the 60 day window, which was part of the reality of event planning.

Councilmember Prafke disagreed, stating while final confirmation might not be in place, it was possible to begin discussions and start the process.

Councilmember Cummings voiced concern about being too rigid.

Mayor Matthews stated 60 days was a goal that should be strived for, suggesting anything less than 30 days did not allow staff to do all the work necessary for an event permit.

Ms. Hannon inquired as to a late application fee for event applications received between 30 and 60 days.

Councilmember Carey voiced concern regarding there being sufficient time to make an informed decision, inquiring as to the rationale for 60 days.

Ms. Hannon responded same would allow sufficient time for the DRC review. She suggested a hard deadline of 60 days could be enforced for events requiring Council approval, such as those involving street closures.

Consensus was to do so.

Ms. Hannon confirmed staff could be flexible on other types of event applications. She inquired as to how City Council desired to approach limiting the number of requests for street closures.

Councilmember Carey stated Harbor Social caused disruptions when the street was closed, voicing concern if every business was entitled to one closure per year, they must be permitted one per year even though they did not meet many other stipulations.

Ms. Hannon stated Harbor Social caused some disruption; however, she stressed all of the nearby businesses were still accessible.

Councilmember Carey stated she had been unable to use the alley twice during Harbor Social's business hours because the alley was blocked with their delivery truck and parked cars. She voiced concern regarding fire truck access to the Women's Club being hampered.

Councilmember Miller stated the requests had to be reviewed by a staff committee which included the Fire and Police Departments, questioning if they were comfortable with access to the area.

Ms. Hannon replied those departments must approve the request.

Mayor Matthews clarified Councilmember Miller was suggesting more scrutiny was needed.

Councilmember Prafke suggested a restricted parking zone, such as restricting parking to one side of the street, could be made part of the requirement.

City Manager Murray inquired as to the number of closures to be allowed.

Councilmember Prafke replied one per year.

Ms. Hannon clarified Council's intent was to allow one event permit per year per licensed business. She then stated alleys were a public right-of-way and were included with street closures.

Councilmember Prafke inquired if it was possible to make a distinction between a street and alley.

City Attorney Levin responded affirmatively.

Councilmember Carey inquired if there would be a fee for an alley closure.

Ms. Hannon replied they were charged only for MOT and/or Police and Fire services.

Mayor Matthews stated City Council could not be selective about which ones were approved or not so it was necessary to be consistent across the board; therefore, all businesses should be subject to the same rules if they were closing a street or alley.

Councilmember Prafke inquired as to the cost to the City, opining there might be a minimal cost to a business for closure of an alley versus a street.

City Manager Murray stated public infrastructure with a primary benefit to the public would be differentiated from non-public infrastructure with a primary benefit to the non-public entity, adding subcategories of alley and street would be used to determine the number of closures and cost.

Mayor Matthews summarized Councilmembers agreed to charge a street rental fee, to limit street closures to one time per year and to require a refundable security deposit, stating for-profit businesses would be responsible for costs and would pay the for-profit application fee and deposit rates when an event was held for the benefit of a non-profit.

Councilmember Miller opined one event was too restrictive, noting the City was trying to grow and do more.

Mayor Matthews opined one was sufficient.

Councilmember Carey agreed, requesting nearby businesses be given more notice.

Ms. Hannon agreed, noting same would be incorporated into the list of criteria for acceptance of an application.

City Manager Murray inquired how to differentiate an alley from a street.

Mayor Matthews suggested establishing a subclassification.

Ms. Hannon agreed.

City Attorney Levin questioned who could request a street closure.

Councilmember Prafke opined the business must be adjacent to the ROW to be closed.

City Attorney Levin inquired if the City allowed other street closures currently that were unaffiliated with a business located on that street.

Ms. Hannon replied in the affirmative, citing the Block Party and the Sullivan Street Craft Fair as examples.

City Attorney Levin inquired what if another craft fair wanted to close Sullivan Street and did not have a tie to the Punta Gorda Chamber or one of the businesses there.

Consensus was such an event would not be permitted.

Mayor Matthews concluded it was desirable to discourage street closures.

Utility Pole Removal

Mr. Rick Keeney, Public Works Director, recalled in July 2019 FPL began a hardening project which included new poles and new hardware to withstand hurricane events. He stated a problem arose where dirt was not being removed from the pole installation sites, explaining staff had communicated with FPL regarding same. He explained FPL installed the new pole and then notified Comcast and the phone company, indicating most phone lines were underground. He stated Comcast advised staff they had removed their hardware from 119 poles out of a total of 123 from the Punta Gorda Isles area, and they had notified FPL regarding the abandoned poles. He noted he had done a count and identified more than 100 poles which could be removed, explaining staff had informed FPL those poles needed to be removed; however, he had not yet received a response or confirmation that work had begun.

Mayor Matthews voiced concern regarding the safety of excessive wires hanging from many poles, noting FPL had shaved many trees and had left behind tree stumps and duplicate poles, some of which were leaning. She stated it was a dangerous and unsightly mess. She suggested writing a letter to FPL requesting they finish one section before moving on to another.

Discussion ensued with consensus for letters to be written to the utility companies and copied to the Florida Public Service Commission.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

No comment.

CITY ATTORNEY

No comment.

CITY CLERK

FY 2021 City Clerk Performance Objectives

Mayor Matthews voiced approval of the format used for the objectives.

Councilmember Cummings **MOVED** approval of the performance objectives, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals Alternate (2)

Building Board - Alternate

Utility Advisory Board

General Employees' Pension Board

Firefighters' Pension Board

Donation Review Committee

Historic Preservation Advisory Board (3) - 1 Regular and 2 Alternates

Burnt Store Isles Canal Advisory Committee

City Clerk Smith announced the vacancies.

Nominations

Utility Advisory Board

Councilmember Prafke **MOVED** to nominate and reappoint Mr. Dennis Cafaro, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

Appointments

None.

POLICY AND LEGISLATION

MATTHEWS: Noted the Legislature went into session this week, adding items of interest were short-term rentals and funding for the Boca Grande Drainage Project.

MILLER: Stated a decision regarding the Charlotte County Airport Authority had been delayed until at least November 2021.

CAREY: Stated she had attended the Attorney General's presentation honoring the Punta Gorda Police Department, adding it was gratifying to see the Department receive kudos for a program which was initiated by the officers.

CUMMINGS: Requested City Council support of retaining May 20th as the official Day of Emancipation in Florida.

City Manager Murray noted the City of Ft. Myers had adopted a resolution regarding same.

Consensus was to do the same for the City.

PRAFKE: Reported the following: Tourist Development Council had indicated Charlotte County was doing well as compared to surrounding communities because people felt safe coming to the area; Pickleplex tournaments in January and February 2021 generated \$2 million in economic impact; short term rental regulations were discussed.

CITIZENS COMMENTS

None.

The meeting was adjourned at 12:59 p.m.

Mayor

City Clerk