

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, SEPTEMBER 8, 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; Deputy Clerk Welch

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.

PUBLIC INPUT

Mr. Jeff Lustig spoke against the City's sign ordinance, particularly the provision prohibiting indecent language where it could be viewed by 16 year olds, questioning where he could legally protest in City limits.

Mr. Bob Fritz expressed preference for the Huey helicopter to remain at the Military Heritage Museum. He then requested the question and answer portion of the form-based code presentation be included in the online video, expressing dissatisfaction with the details of the form-based code which had been presented.

Mr. Gary Snow spoke on Mr. Andrew Sheets' conduct during various protests he had staged.

Mr. Bill Aikens voiced support for relocating the Huey helicopter to the Vietnam Memorial Wall.

Mr. Phil Menendez concurred with Mr. Aikens.

Mr. Peter Rabzuski spoke in favor of relocating the Huey helicopter to Veterans Park, displaying photographs of a similar display at Pensacola Veterans Memorial Park.

Mr. Jim Sanders expressed support for increasing the millage rate in order to fund additional staff positions.

Ms. Ashley Maher commented positively on the efforts to relocate the Huey helicopter to the Vietnam Memorial Wall.

Mr. Jerry Baumgartner spoke in favor of relocating the Huey helicopter to the Vietnam Memorial Wall, expressing concern for the country.

Mr. Steve Cornwell commented favorably on relocating the Huey helicopter to the Vietnam Memorial Wall.

Mr. John Ludden voiced safety concerns regarding the intersection at Harvey Street and West Marion Avenue.

Ms. Lucille Ponte and Mr. David Perry introduced themselves as nominees for the Historic Preservation Advisory Board.

Mr. Donald Tottingham introduced himself as a nominee for the Code Enforcement Board.

Mr. Scott Bostrom introduced himself as a nominee for the Building Board.

PROCLAMATIONS / PRESENTATIONS

15 Year Service Award - Firefighter/EMT, Carroll Anderson, Fire Department

Mr. Ray Briggs, Fire Chief, spoke regarding Mr. Carroll Anderson's service to the Department.

Mayor Matthews presented the award to Mr. Anderson.

15 Year Service Award - Firefighter/EMT, Kaitlin McCausland, Fire Department

Mr. Briggs spoke regarding Ms. Kaitlin McCausland's service to the Department.

Mayor Matthews presented the award to Ms. McCausland.

9/11 - 20th Anniversary Day of Remembrance

Mayor Matthews presented the proclamation, indicating she would provide same to the Military Heritage Museum.

Constitution Week

Councilmember Prafke presented the proclamation, which was accepted by Ms. Debbie Harrington.

Mayor Matthews announced Mr. Gargiulo would speak on September 11.

Mr. Gargiulo stated it was an honor and privilege to be a part of the 9/11 recovery efforts, noting he spent 9 months at Ground Zero. He expressed appreciation that members of the community still recognized the event, concluding it was humbling to know people would never forget that day.

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

PUBLIC HEARING AGENDA

Quasi- Judicial and Legislative

GA- 03- 2021 An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 10, "Yard Waste and Solid Waste", Article II, "Solid Waste", amending Section 10- 11 increasing the monthly fee for removal and disposal of solid waste, yard waste, and curbside recycling services; providing for conflict and severability and providing an effective date. **FIRST READING**

City Attorney Levin read the ordinance by title.

Ms. Kristin Simeone, Finance Director, explained the proposed ordinance had been prepared pursuant to prior budget discussions. She stated refuse rates were

increasing \$0.35 for residential service and \$0.15 for yard waste service, adding residential curbside recycling rates were increasing \$0.33 pursuant to the contract with Waste Management.

Mayor Matthews called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of GA-03-2021, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

GA- 04- 2021 An Ordinance of the City Council of the City of Punta Gorda, Florida, amending the general provisions of Chapter 17, "Public Utilities", Article I, "General Provisions: Water Rates", and Article II, "Use of Public and Private Sewers and Drains; Sewer Rates", Punta Gorda Code, to increase monthly utility rates; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Simeone explained the proposed ordinance had been prepared pursuant to prior budget discussions, concluding a 2% rate increase was proposed.

Mayor Matthews called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of GA-04-2021, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke clarified discussion was not taking place this date as the proposed rate increases were discussed at prior meetings.

City Manager Murray noted solid waste rate increases had been low over the past 15 years, particularly when compared to the services provided, adding the utility rate increase was lower than the 3.5% increase proposed the previous year.

ORDINANCES / RESOLUTIONS

No Public Hearing Required

GA- 02- 2021 - An Ordinance of the City of Punta Gorda, Florida, amending Chapter 7, "Building Regulations," Article V, "Floodplain Management," Punta Gorda Code; Amending Section 107.4 thereof to reflect the current chapter in the

Florida Building Code, Existing Building, relating to historic buildings; Amending Section 202 thereof, "Definitions," by providing a new definition for "accessory structure", amending the definition for "appeal," amending the definition for "coastal high hazard area," deleting the definition for "existing manufactured home park or subdivision," deleting the definition for "expansion to an existing manufactured home park or subdivision," amending the definition for "historic structure" to reflect the current chapter in the Florida Building Code, Existing Building, relating to historic buildings, amending the definition for "market value," and deleting the definition for "new manufactured home park or subdivision"; Amending Section 301 thereof, "Buildings And Structures," by deleting Subsection 301.3, "Elevation Requirements," and adding a new Subsection 301.3, "Accessory Structures"; Amending Section 304 thereof, "Manufactured Homes," Subsection 304.4, "Elevation," deleting Subsection 304.4.1, "General Elevation Requirement," and deleting Subsection 304.4.2, "Elevation Requirement for Certain Existing Manufactured Home Parks and Subdivisions"; providing for conflicts and severability; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Councilmember Prafke **MOVED** approval of GA-02-2021, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

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

MOTION UNANIMOUSLY CARRIED.

- 7.a Approval of Minutes: Regular Meeting of August 25, 2021
- 7.b City Council Approval of Timeline Amendment to CHNEP agreement.
- 7.c Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for legal services rendered through August 26, 2021
- 7.d Invoice of Persson, Cohen & Mooney, P.A. for legal services rendered in August 2021

REGULAR AGENDA

Proposal for the new location of the Huey Helicopter in Veterans Park

Mr. Dick Carr, Vietnam Wall of Southwest Florida, President, explained the significance of Huey helicopters in the Vietnam War, reviewing the sites considered for relocation and factors impacting selection of the proposed location in Veterans Park (Park), such

as aesthetics, expense, and disturbance of the area. He then reviewed advantages of the proposed location, indicating challenges to the relocation such as the logistics of transport and installation had been addressed. He noted the advantages of a south orientation and a north orientation for the helicopter, concluding with a request for Council approval of the relocation and guidance on the orientation desired.

Councilmember Prafke expressed great respect for veterans and understanding of the significance of the Huey helicopter, voicing a desire to have been able to discuss the relocation previously. She opined the Park was a place for solemn respect and the helicopter was better suited to the Military Heritage Museum (Museum), adding many Vietnam veterans she spoke with did not support the relocation.

Councilmember Cummings stated the original Park design included the Huey helicopter, expressing support for the proposal.

Councilmember Miller added the majority of the Veterans Council and other veterans he heard from favored the relocation.

Councilmember Carey indicated the individuals she spoke to were against the relocation, indicating the helicopter brought back terrible memories for some veterans. She pointed out the Huey could be enjoyed at any location; however, veterans who associated the helicopter with difficult memories would be unable to enjoy the Park if the helicopter was there. She noted there was a protocol for donations to the City, pointing out the helicopter would need to be deeded to the City if it were placed in the Park. She stated she did not desire for the City to take on liability for the helicopter, adding she did not want to be responsible for some veterans no longer being able to visit the Park. She expressed support for veterans; however, she could not support the proposal.

Mayor Matthews stated many individuals she spoke to did not support the relocation. She agreed there were concerns regarding liability for and ongoing maintenance of the helicopter, adding some were concerned the helicopter would distract from the Vietnam Memorial Wall. She objected to placement of the helicopter in front of the flag wall, indicating she might support relocation of the helicopter to the far left or on a pedestal behind the wall. She concluded she did not support the proposal as it currently stood.

Councilmember Cummings reiterated the Huey helicopter was always part of the Park's design but had only recently become available. He noted the helicopter was used for medical evacuations and had the Red Cross' insignia on its side, opining the helicopter would close a door on the war for many veterans.

Councilmember Prafke stated she did not recall inclusion of the Huey helicopter as part of the Park's original design.

Councilmember Carey noted the helicopter fit better within the scope of a museum than a park according to the definitions she reviewed.

Councilmember Cummings noted Okeechobee's downtown Veterans Park included a military vehicle and still served the public well.

Mayor Matthews indicated she wished this item had been brought to Council earlier in the process, reiterating the helicopter was not appropriate for placement in front of the flag poles in Veterans Park.

Councilmember Cummings **MOVED** approval of the proposed relocation, **SECONDED** by Councilmember Miller.

VOTING AYE: Cummings, Miller.

VOTING NAY: Carey, Matthews, Prafke.

MOTION FAILED.

City Attorney Levin suggested based on the discussion, a motion could be made to allow the helicopter elsewhere in the Park.

Councilmember Cummings **MOVED** approval of the helicopter's relocation to the Park, with the particular location to be determined in future discussions, **SECONDED** by Councilmember Miller.

Mayor Matthews expressed preference to have remaining questions answered prior to accepting the helicopter for placement in the Park.

Councilmember Miller inquired as to how those questions could be clarified.

Mayor Matthews suggested the Donation Review Committee and staff could clarify these questions.

Councilmember Carey recalled during a discussion with Mr. Carr, he had noted the solitude of the Vietnam Memorial Wall and other memorials in Washington, D.C., inquiring as to why the City's Vietnam Memorial Wall could not speak for itself.

Mr. Carr replied the wall did; however, the Huey spoke volumes about the Vietnam War as well.

Councilmember Carey requested a response to those who had indicated the helicopter caused them mental distress.

Mr. Carr stated the helicopter would distress those individuals wherever it was placed. He noted the helicopter could be used in educational presentations given to students at the Park, adding same would likely increase students' interest in the Vietnam War.

Councilmember Prafke opined stories of the war should be told at the Museum, suggesting students could be taken there to learn more about the Vietnam War.

Councilmember Miller inquired as to other options for the helicopter's relocation.

Mayor Matthews replied the current location was highly visible and the helicopter was well-received during the Museum's summer history camp, stating the Museum's Board had not discussed permanent display of the helicopter.

Councilmember Cummings stated his understanding was that the helicopter's current location was temporary, expressing concern the helicopter could be lost to another area. He reiterated the helicopter was part of the Park's initial concept.

Mayor Matthews repeated relocation should not be approved prior to obtaining additional information. She then expressed concern regarding vandalism.

Councilmember Carey pointed out the City's donation protocol had not been followed, noting review at two board meetings had been required for a plaque to be placed in a park.

Mayor Matthews added no items could be placed within 100 feet of the Vietnam Wall Memorial in Washington, D.C., suggesting that requirement should be examined.

Councilmember Prafke **CALLED THE QUESTION.**

VOTING AYE: Cummings, Miller.

VOTING NAY: Carey, Matthews, Prafke.

MOTION FAILED.

Mayor Matthews noted she opposed the motion as she felt additional information was needed.

Councilmember Cummings opined no disrespect had been intended, explaining the helicopter had only recently become available and the intention was to act quickly to keep same in the community.

NOTE: A short break was called at 10:34 a.m.

FY2022 Strategic Plan

Ms. Melissa Reichert, Assistant City Manager, explained strategic planning assisted the City in setting goals and providing direction to departments, noting staff was transitioning to a longer-term Strategic Plan (Plan). She then reviewed the City's mission, vision and values as well as the City's five strategic priorities (financial/economic sustainability; infrastructure sustainability; partnerships, communication and collaboration; strategic communications positioning; quality of life) and related goals and their measures for success.

Councilmember Prafke questioned if the Mayor's column in the Isles Life magazine could be included within the Plan.

Ms. Reichert indicated same would be included as an action item. She requested Council review the Strategic Plan and provide feedback to be incorporated in the final version to be presented for Council's approval at the September 22, 2021, meeting.

Mayor Matthews commented positively on the Strategic Plan. She noted there was a goal of annexing three parcels each year, emphasizing the importance of annexing properties thoughtfully.

Councilmember Prafke inquired as to which department would be accountable for pursuing annexations.

Ms. Reichert replied the Urban Design Division had taken the lead on pursuing annexations; however, all departments were involved.

City Manager Murray explained costs and benefits were carefully examined when considering whether to pursue annexation of a property, noting areas for potential annexation were being mapped out.

Councilmember Carey recalled a representative of Dover, Kohl and Partners had indicated annexation would not provide a return for many years. She commented favorably on the Plan, noting members of the business community had indicated same would be game changing.

Councilmember Miller noted the Coastal and Heartland National Estuary Partnership (CHNEP) had denoted funds within their budget for each action item, emphasizing those funds were not from the City's budget.

Ms. Reichert affirmed staff would denote the sources of funds in the next Strategic Plan.

Councilmember Miller suggested goals from the Strategic Plan be assigned to each staff member.

City Manager Murray indicated same was part of what had been discussed as part of the Strategic Plan's evolution into an organizational document.

Councilmember Prafke then commented on the evolution of CHNEP, explaining the City was their host organization but contributed no more funds to the organization than other municipalities within their focus area.

Sole Source Blanket Notice of Intended Decision with Ten-8 Fire & Safety of Bradenton, FL for the purchase of MSA's Self-Contained Breathing Apparatus (SCBA) G- 1 Air Packs and Accessories.

Ms. Anne Heinen, Procurement Manager, recalled on July 14, 2021, Council had approved funds for the purchase, explaining the Fire Department had requested a sole source agreement for MSA's self-contained breathing apparatus, for which Ten-8 Fire & Safety was the sole authorized distributor. She noted Charlotte County (County) and

the City of Cape Coral also used the equipment; therefore, its selection would improve the City's ability to provide support to and receive support from those agencies. She indicated a Blanket Notice of Intended Decision to Single Source had been issued to 230 vendors on July 27, 2021, noting the City had received no protests. She reported equipment could be purchased on September 9, 2021, under a consortium contract for savings of \$21,344, bringing the initial cost to \$249,897. She requested Council's approval.

Councilmember Miller inquired as to any recurring charges.

Ms. Heinen replied certain testing would be required annually; however, that was necessary with any equipment and would be incorporated into their budget.

Councilmember Prafke **MOVED** approval of the initial purchase and entrance into a Sole Source Blanket Notice of Intended Decision to Ten-8 Fire & Safety of Bradenton, FL, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Discussion of planting a vegetation barrier at 201 Harvey St on the Marion Ave side of the property for safety reasons

Councilmember Cummings displayed photographs depicting accidents which had occurred at and near 201 Harvey Street, stating there had been many accidents at the property over the past three years. He explained Mr. John Ludden, property owner, had requested a palm tree be planted in the right-of-way in order to afford protection against additional accidents, adding a palm tree would be consistent with the aesthetics of the area.

Councilmember Miller inquired as to where a palm tree would be placed, adding the tree would not improve safety when mowing the right-of-way.

Councilmember Cummings stated individuals were racing through the thoroughfare, opining a palm tree would offer protection.

Councilmember Carey pointed out one photograph depicted an accident just to the side of a palm tree planted on a property, opining same would not improve safety; however, same would enhance aesthetics.

Councilmember Cummings indicated the accidents at 201 Harvey Street kept occurring in the same location.

Councilmember Prafke inquired if residents were prohibited from planting trees in the right-of-way.

Ms. Joan LeBeau, Urban Design Director, replied in the affirmative, noting while there would not be a drainage issue at this location, there could be underground utilities and there were wires overhead.

Mayor Matthews stated she sympathized with the residents but felt reasonable care had been taken. She expressed concern installing a vegetative barrier would set a precedent, adding line-of-sight could be negatively impacted by vegetation at the location.

Councilmember Cummings stated other properties were not experiencing the number of accidents this intersection did, noting line-of-sight should not be impacted as West Marion Avenue was a one-way street.

Mayor Matthews inquired as to alternatives to a vegetative barrier.

City Manager Murray replied the traffic engineer and Urban Design Division would need to be consulted regarding same.

City Attorney Levin recalled there were many cases where a municipality was held liable for accidents involving trees it had planted or maintained, concluding placement of a tree or boulder at the intersection could increase the City's liability.

Mayor Matthews questioned if white, decorative bollards could be placed outside the fence.

Ms. LeBeau replied same could be an option, stating she had not yet had an opportunity to review all options available.

Mayor Matthews suggested options could be explored with the understanding they would be at the resident's expense.

Councilmember Prafke commented line-of-sight remained problematic even with parking spaces removed near the intersection, opining an additional issue was how to slow motorists.

Councilmember Carey stated the property owner should be allowed to remedy the situation; however, she was not in favor of placing a tree at the intersection.

Councilmember Cummings reiterated the resident's concern was mowing the right-of-way safely.

Mayor Matthews suggested staff explore options to help the property owner.

Discussion of a speed bump on W. Retta Esplanade by Gill St

Councilmember Cummings explained West Retta Esplanade was being used as a thoroughfare, indicating a resident of Gill Street desired a speed bump to calm traffic in the neighborhood.

Councilmember Miller opined a single speedbump was not a solution.

Councilmember Cummings indicated additional speedbumps were acceptable.

Councilmember Carey inquired if the Police Department and Fire Department had been contacted to determine how a speed bump would impact emergency vehicles, questioning if angled parking planned for the area would calm traffic.

Mr. Mitchell Austin, Chief Planner, stated a substantial amount of angled parking was proposed within the design for Harborwalk Phase 2, indicating same would be part of an overall plan to calm traffic. He noted crosswalks would also be installed in the area and special intersection treatments could be installed at three intersections.

Councilmember Prafke recalled comments from the prior City Engineer that individuals often raced between speed bumps to make up time, commenting individuals would also detour onto narrow side streets if speed bumps were installed. She suggested waiting for the upcoming Harborwalk Phase 2 improvements.

Councilmember Carey expressed hesitance to act without the Police Department recommending the improvements.

Councilmember Miller suggested lowering the speed limit in the area.

Councilmember Prafke spoke in favor of receiving additional information from the Police Department prior to taking action.

Mayor Matthews noted enforcement would be needed if the speed limit were reduced, adding a similar measure had calmed traffic on Tripoli Boulevard.

Councilmember Prafke suggested the Historic Homeowners Association should be asked for input.

Mayor Matthews confirmed there was consensus to determine the impact of upcoming improvements on West Retta Esplanade's traffic prior to installing speed bumps and to gather additional information from the Police Department and the community prior to considering a reduction in the speed limit.

Discussion of Veterans Day Parade Participation

Mayor Matthews expressed concern regarding Council's ability to attend Veterans Day parade in the County in addition to the Veterans Day parade in the City, expressing preference to attend the parade within City limits, which City Council had participated in for 14 years. She questioned what Council desired.

Councilmember Cummings inquired as to attending both if Council was placed in the parade's beginning.

Mayor Matthews indicated same was not possible due to staging logistics.

Councilmember Carey questioned if Council could divide into two groups in order to attend both parades.

Mayor Matthews expressed preference not to do so.

Councilmember Cummings suggested could Council take a different vehicle for the County parade.

Mayor Matthews stated Council would still need to return to the first parade's starting point in order to get in their vehicles to go to the City parade, adding finding parking at the City parade was difficult.

Councilmember Carey stated Council must be loyal to the City.

Councilmember Miller agreed with Councilmember Carey, expressing concern the City was not being considerate of the County as the City had indicated Council would attend their parade.

Councilmember Carey stated she had not been asked whether she desired to attend the County parade.

Councilmember Cummings indicated the City was the County seat and Council should be involved in County events.

Mayor Matthews reiterated logistics were the issue.

City Manager Murray stated he believed Council's place in the County parade had been reserved after their participation in 2020, agreeing Council could attempt to attend both parades if multiple vehicles were used; however, there was no guarantee Council would be placed toward the front of the County parade.

Councilmember Prafke expressed preference to attend the City parade if Council could only attend one; however, she was agreeable to attending both if a feasible option were found.

Discussion continued regarding the logistics of attending both parades.

Mayor Matthews concluded the matter could be discussed again if an alternative was found; otherwise, Council would attend the City parade. She confirmed staff could notify the County of Council's decision.

Discussion of Form Based Code Presentation

City Manager Murray noted Council had not been given an opportunity to review the form-based code presentation in advance, adding Dover, Kohl and Partners (DKP) had indicated now was the time to request changes or provide direction.

Councilmember Carey inquired why DKP would listen now when they had not in the past.

City Manager Murray replied some of what was presented appeared to incorporate public input they had received, indicating many of the individuals who had provided input were not those who desired lower building heights.

Mayor Matthews opined DKP did not understand the City and had misrepresented the City's intentions from the beginning of the process. She spoke in favor of removing DKP from the project, adding Council did not endorse DKP's presentation.

Councilmember Cummings noted DKP had followed best practices in planning, indicating the City's desires did not align with those practices. He stated limiting density and building heights would lead the City to insolvency by 2030, speaking in favor of acting with the City's long-term development in mind.

Councilmember Carey stated many great communities without large business districts still had beautiful downtown areas, noting many individuals were willing to pay higher taxes in order to keep Punta Gorda's existing character.

Councilmember Cummings emphasized the City's downtown needed to be restored, noting there were two shopping centers downtown prior to Hurricane Charley. He pointed out surrounding areas were undergoing significant downtown development, opining the City would lose businesses to those areas, which would lead to further, more significant tax increases. He stressed Council needed to take action which would support the City in the long term.

Councilmember Miller stated he did not believe the City could remove DKP from the project at this time, suggesting the City work with DKP to address the concerns regarding density, building heights and complexity one at a time.

Councilmember Profke acknowledged the points made by Councilmembers Cummings and Miller, speaking against removing DKP from the project. She noted DKP continued to discuss building height in terms of stories despite Council's objections, stating it felt as if Council was not being heard. She indicated she was attempting to remain open-minded about the ability of the form-based code to influence development. She commented positively on the community benefits program, expressing preference to prohibit developers from buying their way out of same, speaking positively on development resulting in an articulated skyline. She then questioned how parking would be addressed, suggesting the form-based code needed to be fine-tuned with staff's assistance.

Councilmember Miller commented the existing code was too vague in areas, indicating the form-based code was specific in order to direct development. He added there were not many areas downtown available for larger developments.

Mayor Matthews pointed out there were many vacant properties between Marion Avenue and Olympia Avenue on the east side of US 41.

Councilmember Carey expressed concern the community benefits program was no different from the existing special exception process, remarking what was allowed needed to be more firmly established.

Councilmember Miller opined the code could not be black and white.

Councilmember Prafke suggested the community benefits program was similar to a formula which developers could use, noting the size of a property would determine if same was eligible for certain benefits. She suggested Ms. LeBeau and Mr. Austin could demonstrate how the code could would prevent unwanted development.

Ms. LeBeau indicated a workshop could be scheduled to address Council's questions and concerns.

City Manager Murray concluded current direction to DKP was to refine and scale back the form-based code.

Councilmember Prafke expressed favor for a workshop.

Charter Review Committee

Mayor Matthews explained the City was approaching the time to establish a Charter Review Committee (Committee), a process which occurred every six years, noting suggested revisions would result in referendum questions which would be included on the ballot in 2022.

Deputy Clerk Welch noted the Charter was last reviewed in 2016, indicating staff had provided a copy of the resolution adopted in 2016 to establish the Committee as well as minutes from the January 6, 2016, meeting where Council discussed procedures for same. She stated the previous Committee consisted of seven members, one appointed from each district and two at-large members, noting Council also appointed two alternate members.

Councilmember Carey questioned if the Committee would consist of seven members.

Mayor Matthews indicated seven was adequate, expressing concern too many members would complicate reaching a consensus.

Deputy Clerk Welch requested each Councilmember provide the names of nominees, questioning when Council desired to consider same.

Mayor Matthews expressed preference to consider the nominees the next month. She confirmed each Councilmember should select their own district representative.

Councilmember Prafke requested a timeline detailing the charter review process.

Deputy Clerk Welch questioned if Council desired the City Attorney to serve as legal counsel to the Committee.

Councilmember Carey inquired if City Attorney Levin was willing to serve.

City Attorney Levin replied in the affirmative, commenting the previous Charter Review Committee's work had resolved many issues. He indicated he had not been required at every meeting, explaining he had assisted the Committee in wording items and bringing certain issues with the Charter to the Committee's attention.

Mayor Matthews inquired as to the time requirements for the Charter Review Committee.

Deputy Clerk Welch replied the Committee would devise the schedule of meetings.

Mayor Matthews requested the Charter be reviewed to determine if there was a term limit for Committee members.

Councilmember Prafke indicated the individual she had previously nominated reported a negative experience, stating the Committee refused to explore certain ideas. She spoke in favor of an open process and selecting new members.

City Manager Murray commented seven meetings might not be adequate depending on the depth of the Committee's review.

Mayor Matthews noted the referendum questions would need to be approved by Council.

City Attorney Levin commented selection of members was important and could influence the level of the changes made, noting the form of government could be changed during a charter review process. He indicated the previous review focused on issues with the existing Charter. He acknowledged Council would approve the referendum questions by ordinance; however, Council could not reject or veto any of the questions, adding the Committee could seek input from Council prior to finalizing same.

Mayor Matthews confirmed the meetings were subject to the Sunshine Law and would be publicly noticed and recorded.

BOARDS / COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals - Regular (1) and Alternate (2)

Code Enforcement Board (2)

Punta Gorda Isles Canal Advisory Committee

Deputy Clerk Welch announced the vacancies.

Nominations

Board of Zoning Appeals (2)

Deputy Clerk Welch indicated Council could nominate one or more individuals, or nominations could be held until the following meeting.

Discussion ensued regarding the appointment process and its timing.

Mayor Matthews confirmed Councilmembers preferred to hold the nominations until the following meeting.

Deputy Clerk Welch confirmed staff should issue a press release seeking applicants to the City's boards and committees.

Building Board Alternate

Deputy Clerk Welch indicated Council could nominate the applicant, or nominations could be held until the following meeting.

Councilmember Carey **MOVED** to nominate and appoint Mr. Scott Bostrom, **SECONDED** by Councilmember Miller.

MOTION UNANIMOUSLY CARRIED.

Code Enforcement Board Alternate (2)

Deputy Clerk Welch explained the applicants resided outside City limits and so were ineligible for the board. She then confirmed staff should place an advertisement seeking applicants if the press release were not published.

Historic Preservation Advisory Board

Deputy Clerk Welch indicated Council could nominate one or more individuals, or nominations could be held until the following meeting.

Councilmember Cummings **NOMINATED** all interested parties.

REPORTS FROM CITY OFFICERS

City Attorney Levin noted during this evening's budget public hearing meeting, City Council should convene as the Mandatory Lot Mowing Assessment District and as the Buckley's Pass Assessment Area during the corresponding hearings.

POLICY AND LEGISLATION

MATTHEWS: Announced Florida Power and Light (FPL) had become unresponsive over the past few weeks, noting Council might need to consider contacting the Public Utilities Commission. She indicated FPL had not provided a report in over a month, noting many poles remained to be removed.

Councilmember Prafke expressed she would not hesitate to contact the Public Utilities Commission due to the ongoing nature of the problem.

Councilmember Carey noted FPL would likely state they had not been available due to crews assisting in the effort to restore power in New Orleans.

Mayor Matthews pointed out the City's emails should still be acknowledged.

MILLER: Thanked staff for their hard work.

CAREY: Recognized Ms. Nancy Dauster for her work in the community, expressing sorrow at her passing the week prior.

CUMMINGS: Noted the Blanchard House Museum would hold their season opening from 10:00 a.m. to 12:00 p.m. on September 11, 2021.

PRAFKE: None.

The meeting was adjourned at 12:27 p.m.

Mayor

Deputy Clerk