

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

COUNCILMEMBERS PRESENT: Carey, Cummings, Kuharski, Lockhart, 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

CALL TO ORDER

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.

1) AGENDA APPROVAL

2) PUBLIC INPUT

2.a Anyone wishing to address the Council on any matter must state their name for the record. Each person will be allowed to speak once on each item up to a maximum of three minutes.

Mr. Jeff Lustig voiced opposition to the sign ordinance.
Mr. Bob Talley thanked Councilmembers Prafke and Miller for their service and the new Councilmembers for their willingness to serve.

2.b Those wishing to introduce themselves as nominees for a board or committee may do so at this time. Those who choose to speak must state their name for the record.

None.

3) PROCLAMATIONS / PRESENTATIONS

3.a Presentations to Outgoing Councilmembers

Exhibits:
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Mayor Matthews presented Councilmember Prafke (District 5) and Councilmember Miller (District 3) with a commemorative plaque to acknowledge their service to the City.

3.b [2021 General Election Results and Oath of Office](#)

Exhibits:

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City Clerk Presiding:

1. Results of November 3, 2021 Election

City Clerk Smith announced Councilmembers-elect Mark Kuharski (District 3) and Melissa Lockhart (District 5) had been elected without opposition.

2. Oath of Office

District 3 – Mark Kuharski

District 5 – Melissa Lockhart

City Clerk Smith administered the Oath of Office.

3.c [Election of Mayor](#)

Exhibits:

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City Attorney Presiding:

City Attorney Levin called for nominations for Mayor.

Councilmember Carey **NOMINATED** Councilmember Matthews.

City Attorney Levin confirmed there were no further nominations for Mayor.

Councilmember Cummings **MOVED** to select Councilmember Matthews to serve as Mayor, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

3.d [Election of Vice Mayor](#)

Exhibits:

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Mayor Presiding:

Mayor Matthews called for nominations for Vice Mayor.

Councilmember Lockhart **NOMINATED** Councilmember Carey for Vice Mayor.

Mayor Matthews confirmed there were no further nominations for Vice Mayor, announcing Councilmember Carey was selected to serve by acclamation.

3.e [Punta Gorda Lions Club Day](#)

Exhibits:

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[Lions Club 55th](#)

Mayor Matthews presented the proclamation, which was accepted by Mr. Roger Richmond, Punta Gorda Lions Club President.

3.f [Lighting of the Village for the Festival of Lights](#)

Exhibits:

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[Lighting of the Village](#)

Councilmember Cummings presented the proclamation, which was accepted by Ms. Patti Allen, Fishermen's Village General Manager.

3.g [ESPN Drug Detection Dog Competition introduction](#)

Exhibits:

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Police Chief Pam Davis announced the United States Police Canine Association had asked the City to apply to enter the ESPN Drug Detection Dog Competition, noting Lieutenant Fernando Burga and Canine Sadie were one of ten teams selected.

Mr. Burga explained the completion would be held on Sunday, November 14, 2021, in Raleigh, North Carolina, thanking the Charlotte Community Foundation for their assistance purchasing Sadie.

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

4) [COMMUNITY REDEVELOPMENT AGENCY AGENDA](#)

5) PUBLIC HEARING AGENDA (Quasi-Judicial and Legislative)

None.

6) [ORDINANCES / RESOLUTIONS \(No Public Hearing Required\)](#)

6.a [A Resolution of the City Council of the City of Punta Gorda, Florida amending the budget for the fiscal year beginning October 1, 2021 by providing for supplemental appropriations in the amounts identified in Exhibit A; providing for severability if any parts hereof are declared invalid; providing for reading by title only; and providing an effective date.](#)

Exhibits:

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[Resolution for Budget Amendment](#)

[Trabue Harborwalk Signage](#)

City Attorney Levin read the resolution by title.

Ms. Kristin Simeone, Finance Director, explained the amendment was for the plaques as required by the Fishermen's Village sale settlement as well as repair of other plaques, amounting to \$13,305 from the General Fund Reserves to complete the repairs and \$26,105 from the Special Use Fund from the Fishermen's Village proceeds currently in reserves.

Councilmember Lockhart suggested the Special Use Fund be utilized since the expenditure was for Fishermen's Village.

Ms. Simeone clarified one plaque in Trabue Park in need of repair was not part of the settlement agreement.

Councilmember Carey recalled City Council had discussed saving the Special Use Fund.

City Attorney Levin advised the settlement agreement did not require that the funds be used to purchase the monuments but rather required the monuments be placed.

Councilmember Kuharski stated he was comfortable expending General Fund Reserves as there were unspent funds from last fiscal year and additional revenues which would offset the cost.

Mayor Matthews concurred with Councilmember Carey that Special Use Funds should be saved for emergency situations. Councilmember Carey **MOVED** approval of the resolution with the entire amount funded with General Fund Reserves, **SECONDED** by Councilmember Lockhart. **MOTION UNANIMOUSLY CARRIED.**

7) **CONSENT AGENDA**

Councilmember Carey **MOVED** approval of the Consent Agenda, **SECONDED** by Councilmember Kuharski. **MOTION UNANIMOUSLY CARRIED.**

7.a Invoice of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for legal services rendered through October 21, 2021

Exhibits:

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Invoice 01421119 in the amount of \$19,305.00

7.b Invoice of Allen, Norton & Blue, P.A. for legal services rendered in September 2021

Exhibits:

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Retainer Invoice 155771 in the amount of \$500.00

7.c Approval of Minutes: Regular Meeting of October 20, 2021

Exhibits:

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10-20-2021 Minutes

8) **REGULAR AGENDA**

8.a **Peace River Wildlife Center Lease Amendment**

Exhibits:

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Clarification of leasehold areas - AMENDMENT TO PRWC GROUND LEASE - WITH EXHIBITS

Lease Amendment - Time Extension and Storm Water Maintenance

HENRY ST ORIGINAL AGREEMENT

City Attorney Levin stated there were two items to be addressed, noting the Peace River Wildlife Center (PRWC) had proposed the following separate lease agreement amendments: 1) clarification of the leasehold areas with a sketch and descriptions of the Exhibits A and B for Phase I and Phase II lease land areas; 2) one additional year's time extension for the completion of Phase 1 to April 15, 2024, and a new section outlining storm water maintenance responsibilities to be located outside the leasehold area.

Councilmember Carey inquired as to the cost of surface water management.

Mr. Clay Rebol, Banks Engineering, stated the PRWC would be located behind the existing dog park parking lot, noting the dog park parking lot would be redone along with the required stormwater management. He stated discussions with staff indicated a combined stormwater management system under the City's

management would serve the parking lot and the PRWC, opining the only cost would be mowing the grass.

City Manager Murray explained expansion of the dog park and parking lot already necessitated stormwater management to be addressed, concluding this pertained to maintenance of a facility rather than its construction.

Councilmember Lockhart noted Exhibit B might require amendment as it indicated Phase 1 was in Sarasota County rather than Charlotte County. She then questioned where stormwater would be managed.

Mr. Rebol replied same would be closest to Henry Street between the parking lot and Henry Street, adding management had to be under one entity, which would be the City.

Councilmember Lockhart questioned if the parking lot would need to be smaller to accommodate stormwater management and if it was normal for the City to be responsible for a leased property's stormwater management.

Mr. Rebol replied this situation was unique as the stormwater management system would serve more than just the PRWC. He stated the stormwater management facility could reduce the overall size of the parking lot.

Mr. Mitchell Austin, Principal Planner, drew members' attention to the Leasehold Phase Areas sketches, explaining the most logical place for the stormwater area to be located was in the Henry Street right-of-way outside of the leasehold area.

City Manager Murray inquired as to the final size of the parking lot.

Mr. Austin replied the parking lot area would double in size to approximately 60 spaces.

City Manager Murray inquired as to the type of stormwater facility.

Mr. Rebol replied same would be a grassy dry retention system.

City Attorney Levin concurred with Councilmember Lockhart that the sketches contained a scrivener's error; however, the error had no substantive effect as the legal description was correct.

City Manager Murray concluded these amendments would provide clarification needed prior to the City signing the stormwater management application.

Councilmember Carey **MOVED** approval of the first amendment to the ground lease, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Kuharski **MOVED** approval of the amendment to the ground lease, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

8.b [Continued discussion of City Priorities & Requests for 2022 State Legislative Agenda](#)

Exhibits:

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[2022 State Legislative Agenda City of Punta Gorda](#)

City Manager Murray explained the legislative priorities focused on the areas of public safety, water quality and economic development, all of which would positively impact the residents of the City, citing several examples.

Mayor Matthews confirmed all of the customers for the Riverside Drive force main were current City water customers, commenting the legislative agenda was satisfactory.

Councilmember Lockhart noted she would continue to speak out in favor of the Diplomat Parkway solution for the situation at Madrid Boulevard and US 41.

Mayor Matthews explained same would need to be separate from the legislative agenda, agreeing the situation needed to be addressed. She indicated she would continue to advocate for a solution if reappointed to the Charlotte County-Punta Gorda Metropolitan Planning Organization Board.

Discussion ensued regarding the legislative agenda and the importance of maintaining a working relationship with local legislators.

Councilmember Lockhart **MOVED** acceptance of the legislative agenda as submitted, **SECONDED** by Councilmember Kuharski.

MOTION UNANIMOUSLY CARRIED.

City Manager Murray noted the City had the application for the \$1 million legislative Boca Grande Drainage Project grant, requesting permission to sign same.

Councilmember Cummings **MOVED** to authorize the City Manager to sign the grant on behalf of the City, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

8.c [Punta Gorda Community Redevelopment Agency Appointment](#)

Exhibits:

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[Charles Council Recommendation Ltr to PG City Council](#)

City Clerk Smith stated Mr. Charles Council's term on the Community Redevelopment Agency (CRA) would expire on November 16, 2021, noting the Charlotte County Board of County Commissioners had provided a letter approving the nomination of Mr. Council to continue to serve as one of two County representatives. She stated if City Council approved the County's nomination, Mr. Council would serve another 4-year term until November 16, 2025.

Councilmember Carey **MOVED** approval of the County's nomination of Mr. Council for reappointment to the CRA, **SECONDED** by Councilmember Kuharski.

MOTION UNANIMOUSLY CARRIED.

8.d [Approval of Contract Change Order #1 to the Auditing Services Agreement to Ashley Brown & Smith of Punta Gorda, FL](#)

Exhibits:

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[Contract Change Order #1](#)

[Agreement](#)

Ms. Anne Heinen, Procurement Manager, recalled Ashley Brown & Smith were awarded a contract for an initial 5-year period in 2016 with a 1-year renewal option for an additional 5 years. She noted the renewal option was exercised in August 2021, explaining the contract's provisions allowed for an increase each year of the renewal period based on the percentage increase in the Consumer Price Index (CPI) for the South region for the previous 12 months. She noted Procurement negotiated a 4% increase, which was less than the 5.8% CPI, adding the increase would apply to the flat fee for the audit but not the CRA audit fee.

Councilmember Carey **MOVED** approval of Change Order #1, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

9) BOARDS / COMMITTEES

9.a City Council Services Boards and Committees 2021-2022

Exhibits:

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Council Service Boards Intent (Description) 2021

Council Board Preferences FY 2022

City Clerk Smith drew members' attention to the listing of Council Service Board preferences, as delineated in the agenda material.

Discussion ensued with appointments being made to the various boards.

9.b Announcement of Vacancies: Board of Zoning Appeals (1 regular and 2 alternate)

Exhibits:

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City Clerk Smith announced the vacancies.

9.c Announcement of Vacancies: Code Enforcement Board (2 alternate)

Exhibits:

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City Clerk Smith announced the vacancies.

9.d Announcement of Vacancies: Planning Commission

Exhibits:

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City Clerk Smith announced the vacancy.

9.e Nominations: Board of Zoning Appeals

Exhibits:

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Coine Resume BZA

Councilmember Cummings **MOVED** to nominate and appoint Mr. Michael Coine, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

9.f Nominations: Firefighters' Pension Board

Exhibits:

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Albers Resume Pension FF

Councilmember Cummings **MOVED** to nominate and reappoint Mr. Bill Albers, **SECONDED** by Councilmember Lockhart.

MOTION UNANIMOUSLY CARRIED.

9.g Nominations: Historic Preservation Advisory Board (2 regular)

Exhibits:

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Colbert HPAB Oct 21

Gamblin HPAB Oct 21

Perry D Resume HPAB

Councilmember Carey nominated all interested parties.

9.h Nominations: Punta Gorda Isles Canal Advisory Committee

Exhibits:

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D'Amico Resume PGI

Onuchovsky Resume DON PC PGI

Rich Resume PGI CEB

Councilmember Carey nominated all interested parties.

10) REPORTS FROM CITY OFFICERS

10.a **City Manager**

City Manager Murray thanked the outgoing Councilmembers for their work as well as the incoming Councilmembers for providing support to the City. He then recognized the City's staff for their work on Halloween.

Mayor Matthews thanked those who provided their classic cars to be part of the display in the City Hall Annex parking garage, commenting positively on the event.

City Attorney

City Attorney Levin congratulated and welcomed the new Councilmembers, reminding them he was available to answer any of their questions.

City Clerk

City Clerk Smith noted the selection of Charter Review Committee members would take place at the November 17, 2021 meeting, requesting members provide their list of nominees to the Clerk's Office if they had not already done so. She then congratulated the newly sworn in Councilmembers and indicated they would be provided a brief orientation in the near future.

11) COUNCIL MEMBER COMMENTS

11.a **Mayor**

MATTHEWS: Noted the Legislative Delegation would meet Wednesday, November 10, 2021.

- Announced a Veterans Day ceremony would be held at the Military Heritage Museum on Thursday, November 11, 2021, at 11:00 a.m.

- Stated the Lighting of the Village would be held on November 13, 2021, at Fishermen's Village.

- Announced Mr. Bill Hughes, former City board member and police volunteer, had passed away, sending warm regards to his wife Ms. Marianne Hughes.

Councilmembers

KUHARSKI: Expressed excitement to serve on City Council.

CAREY: Stated she looked forward to another year serving as Vice Mayor.

LOCKHART: Indicated it was an honor to serve on City Council.

CUMMINGS: Stated it was an honor to serve with Councilmembers Lockhart and Kuharski.

Mayor Matthews thanked her fellow councilmembers for selecting her to serve as Mayor.

ADJOURNMENT

The meeting was adjourned at 10:58 a.m.

Mayor

City Clerk