

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 18, 2018, 9:00 A.M.**

COUNCILMEMBERS PRESENT: Cummings, Keesling, Matthews, Prafke, Wein

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

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

Invocation was given by Mr. John Burrage, followed by the Pledge of Allegiance.

PROCLAMATION/PRESENTATIONS

Arbor Day

Councilmember Prafke presented the proclamation, which was accepted by Ms. Joan LeBeau, Urban Design Manager.

Law Day

Councilmember Cummings presented the proclamation to City Attorney David Levin.

10 Year Service Award – Lt. Anthony Laurenti, Fire Department

City Manager Kunik presented the award to Mr. Anthony Laurenti, Lieutenant, Fire Department.

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

30 Year Service Award – Shelly Barber, Billing & Collections

City Manager Kunik presented the award to Ms. Shelly Barber, Billing & Collections Division.

Mr. Dave Drury, Finance Director, spoke regarding Ms. Barber's service to the City.

Institute for Elected Municipal Officials (IEMO3) Certificate of Completion –

Councilmember Cummings

Mayor Keesling presented the Certificate of Completion to Councilmember Cummings.

Introduction of Peace River Wildlife Center Branding

Ms. Pat Campagna, Peace River Wildlife Center (PRWC), displayed the new PRWC brand, stating same would better reflect their identity. She reported the groundbreaking for the new facility would be delayed until April 2019 as the final design was not yet complete. She presented certificates of appreciation to Councilmembers for their ongoing support.

Introduction of Board/Committee Member Nominees

Ms. Adrienne Andreae and Mr. Bradford Gamblin introduced themselves as nominees for the Historic Preservation Advisory Board.

PUBLIC HEARINGS

GA-03-18 – An Ordinance of the City of Punta Gorda, Florida, amending Chapter 6, “Boats, Docks and Waterways”, Article I, “In General”, Section 6-24, “Use of Boat Ramps”, Punta Gorda Code, to amend regulations relating to the use of public boat ramps and to establish regulations for the use of public day docks within the City of Punta Gorda; providing for conflict and severability; and providing an effective date.

FIRST READING CONTINUED FROM 3/21/18 & 4/4/18

City Attorney Levin read the ordinance by title, noting the proposed ordinance language had been amended per Council’s direction provided at the April 4, 2018 meeting.

Councilmember Matthews recalled Council had discussed limiting the maximum length of dinghies allowed on the day dock at Gilchrist Landing, requesting language be included to limit same to 12 feet.

City Attorney Levin suggested including a new subparagraph (5) to paragraph (b), “Vessels docking at the Gilchrist Landing day docks shall be limited to a maximum overall length of 12 feet.”

Mr. Richard Kershoffer asserted there was a lack of boat trailer parking at the Lashley Park Municipal Marina and Ponce de Leon Park.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of GA-03-18 as amended, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

ZA-02-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 26, “Land Development Regulations”, Article 16, “Application Review and Approval Requirements”, Section 26-16.8, “Special Exception Approval”, Paragraph (q)(1), extending the termination of use for special exception approvals which require permitting from non-City governmental agencies; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Lisa Hannon, Zoning Official, explained Special Exceptions expired two years from the date of approval unless a permit or occupancy had been issued for the use, noting the proposed ordinance, as delineated in the agenda material, would allow Council to grant three additional years for approved Special Exceptions which required extensive Federal and State permitting. She advised an application for an extension must be made no less than 90 days prior to the date of the expiration. She concluded staff and the Planning Commission recommended approval.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** approval of ZA-02-18, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

ZA-03-18 – An Ordinance of the City of Punta Gorda, Florida, amending Punta Gorda Code, Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Section 26-3.1(b), “Overlay Districts”, adding Section 26-3.19 “Airport Protection Overlay District – APO”; pursuant to Chapter 333 Florida Statutes, to establish airport protection zoning regulations within the City of Punta Gorda for property in the vicinity of public-use airports in the city limits of the City of Punta Gorda; providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title.

Ms. Hannon explained the proposed language was required by State Statute, concluding the Planning Commission and staff recommended approval.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of ZA-03-18, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

ZA-05-18 – An Ordinance of the City Council of the City of Punta Gorda, Florida, amending Punta Gorda Code Chapter 26, “Land Development Regulations”, Article 3, “Regulating Districts”, Section 26-3.13(m), “SRO, Special Residential Overlay

District”, to clarify regulations regarding fence heights; providing for conflict and severability; and providing an effective date. **FIRST READING**

City Attorney Levin read the ordinance by title.

Ms. Hannon explained the proposed ordinance clarified language related to fence height, pointing out contours in the land could affect the finished height. She stated the amendment allowed fence panels to be no more than 48 inches in height, and the maximum vertical clearance between finished grade and the bottom panel to be no more than 4 inches, with fence posts not exceeding 54 inches above finished grade. She confirmed staff had discussed the proposed language with the contractor who had requested the change.

Ms. Wendy Mueller inquired if existing fences would be grandfathered.

City Attorney Levin replied existing fences would be considered legal non-conformities.

Ms. Hannon clarified this amendment affected only the Special Residential Overlay district where a maximum fence height of 48 inches had existed for many years.

Mayor Keesling called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of ZA-05-18, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

QUASI-JUDICIAL PUBLIC HEARINGS

City Clerk Smith swore in the participants.

SE-02-18 – A request by Royce Dockrill, as agent, for Valiant PG Corp, property owner, for a Special Exception pursuant to Chapter 26, Section 26-16.8, Punta Gorda Code, to allow a detoxification and substance abuse treatment center not primarily associated with a primary medical facility within the Medical Overlay district as a use permitted by Special Exception pursuant to Chapter 26, Section 26-3.17(f)(4), Punta Gorda Code, on property zoned Neighborhood Center (NC).

Address: 610 East Olympia Avenue, Punta Gorda, FL

Short Legal: WAD 002 000F 001; Charlotte County Parcel ID: 412306283005

City Attorney Levin read the Special Exception request by title.

Ms. Hannon entered the staff report into the record by reference, as delineated in the agenda material. She explained the property fell within the Neighborhood Center Zoning District, which was within the Medical Overlay District. She stated concerns were raised regarding the facility’s security measures, noting the applicant indicated

security would include 32 closed-circuit television cameras (16 cameras installed on each floor). She stated all perimeter doors would be actively alarmed 24 hours per day, the center would have 24 hour staff supervision, and the facility would accommodate 22 clients at any given time. She read the conclusions from the staff report as well as staff's five recommendations, concluding staff and the Planning Commission recommended conditional approval.

Mr. Royce Dockrill, applicant, explained the proposal was for a 22 bed, residential in-patient treatment center for drug and alcohol addiction, voicing concern gambling addiction patients were not permitted as some individuals had a dual addiction diagnosis. He questioned whether same might be accommodated.

City Attorney Levin responded affirmatively, provided gambling was not the primary addiction. He noted gambling addiction or other prohibited uses could not be advertised for this location.

Mr. Dockrill agreed. He then explained there were separate quarters for males and females to help patients focus on recovery, adding relapses and overdoses tended to occur at sober living homes where there was less accountability and supervision. He stated clients who tested positive for drugs or alcohol were dismissed from the program. He offered to answer questions.

Mayor Keesling inquired as to a transportation plan for those who were dismissed.

Mr. Dockrill replied staff would call for a taxi, adding staff would be responsible for escorting dismissed clients off the property.

Councilmember Matthews inquired as to the average length of stay.

Mr. Dockrill replied 30 to 120 days, acknowledging the number of days was unfortunately sometimes determined by insurance coverage.

Councilmember Matthews inquired as to the success rate.

Mr. Dockrill replied same varied greatly depending on an individual's motivation, adding the longer the stay, the greater the chance for success.

Councilmember Prafke disclosed she met with Mr. Dockrill, inquiring how the facility integrated with other providers in the area.

Mr. Dockrill responded Charlotte Behavioral Health Care (CBHC) was primarily a detox center which did not provide primary care and would likely refer patients elsewhere, adding at this time, patients were referred to Fort Myers due to a lack of facilities locally.

Ms. Eunice Wiley objected to the facility's proposed location in a community which had been known for drug activity in the past, voicing concern regarding a lack of demonstrated success rates.

Ms. Kim Devine voiced concern related to clients being dismissed from the program into the local community as well as success rates less than 20%.

Ms. Martha Bireda stated as a professional counselor she understood the issues of addiction, voicing concern about security. She maintained these types of facilities tended to attract drug dealers, voicing opposition to the proposed location and the potential for a negative effect on the community.

Ms. Patricia Niles voiced concern regarding the proposal, asserting if Councilmembers were unfamiliar with such facilities, they should delay approval until more information was obtained.

Ms. Mueller voiced objection to SE-02-18.

Mr. Glen Weaver stated he was a former research psychologist in the area of addiction, adding the tone of the presentation did not inspire confidence. He spoke at length regarding different treatment approaches, concluding better alternatives existed.

Mr. Dockrill stressed the significant differences between outpatient and inpatient treatment.

City Attorney Levin inquired if the applicant was willing to accept City staff's five recommendations, particularly "buddy walks" being conducted with a staff member.

Mr. Dockrill replied "buddy walks" would have to be eliminated as there was insufficient staff same.

City Attorney Levin clarified the revised language would read "All residents to be accompanied by a facility staff member at all times when outside the facility."

Councilmember Matthews questioned the employee to patient ratio.

Mr. Dockrill replied approximately one to three.

Councilmember Matthews inquired if Mr. Dockrill would be on site full time.

Mr. Dockrill replied in the negative; however, the center would be staffed by a professional competent team.

Mayor Keesling disclosed she also met with the applicant who provided information on their other treatment center.

Councilmembers Matthews and **Cummings** disclosed they each met individually with the applicant.

Councilmember Prafke inquired as to the client source.

Mr. Dockrill replied sufficient demand existed in the City, particularly for treatment of alcohol and prescription drug addiction. He concluded even with a structured, 90-day plan, treatment was customized for each individual.

Mayor Keesling clarified the applicant could proceed with State licensing upon approval of the Special Exception application.

Councilmember Wein inquired whether the center would accept a patient who had only 30 days of insurance coverage but needed a longer period of care.

Mr. Dockrill replied affirmatively.

Discussion ensued regarding insurance coverage and patient treatment.

City Attorney Levin stated based on the discussion that patients might leave the program but not of, facility staff should be required to notify the City of Punta Gorda Police Department immediately if a patient left the program.

Mr. Dockrill stated he had no objection.

Mr. Bart Dailey stated he was not impressed with the presentation, voicing concern regarding the lack of a defined success rate.

Mr. Weaver asserted the program was ill defined and lacked information on previous successes, adding addiction treatment centers were rarely successful. He recommended the request be denied.

Ms. Bireda agreed, reiterating her objection to the facility.

Mayor Keesling called three times for public comment.

Councilmember Matthews **MOVED** to close the public hearing, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Councilmember Cummings stated he was amenable to an accredited treatment center in the City; however, the application appeared to be for a sober home. He recommended requiring accreditation by the Commission on the Accreditation of Rehabilitation Facilities. He objected to certain information included in the applicant's advertising and on their website. He cited information from the Palm Beach County Sober Homes Task Force Report which indicated recovery residences had become a billion dollar industry with little oversight. He stated he had discussed this matter with residents in the area and none of them were comfortable with the proposal. He stated he could support a program if it was done in a responsible manner; however, he did not feel this scenario met that criteria. He then **MOVED** denial of SE-02-18.

Mayor Keesling inquired whether accreditation could be included with the conditions.

City Attorney Levin replied affirmatively. He stated the City was considering a special exception for a particular type of program only because the Zoning Code currently provided for this defined program as a permitted use in the Medical Overlay (MO) zoning district. He stated if in fact what was proposed was something other than a detox and substance abuse facility, the Zoning Code did not provide for that use in the medical overlay district and it would not be appropriate to approve it as a Special Exception.

Councilmember Cummings interjected the looseness of the proposed program was problematic and created a public safety issue.

City Attorney Levin clarified the criteria related to special exceptions required the proposed use to not adversely affect the use of neighboring properties. He advised the term “use of neighboring properties” was broad enough to address the public safety concern.

Councilmember Cummings clarified the basis of his motion for denial was failure to meet criteria number one.

Councilmember Wein **SECONDED** the motion.

VOTING AYE: Cummings, Wein, Matthews, Prafke.

VOTING NAY: Keesling.

MOTION CARRIED.

Councilmember Prafke commented the applicant was not properly prepared with a formal presentation and factual information.

Councilmember Matthews agreed.

City Attorney Levin stated staff had discussed at length the fact that City Code allowed these types of treatment facilities only in the MO district when associated with a primary medical facility, suggesting the topic be placed on a future agenda.

Councilmember Cummings suggested including language which addressed the issue of accreditation.

Consensus was to do so.

Note: A short break was called at 10:45 a.m.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items

None.

Councilmember Matthews voiced concern regarding the agreement in Item C.1., which indicated if the business closed, public parking would be left accessible for two years.

City Manager Kunik explained if the business came under new ownership, the pedestrian bridge would remain for their customers’ use.

City Attorney Levin added after two years of continuous non-use of the property, the agreement would terminate after which the City could demand removal of the improvements and restoration of the property to its original condition. He clarified the City was not providing two additional years beyond the termination.

Councilmember Matthews inquired as to a non-commercial use.

City Attorney Levin replied if the commercial use ceased for a period of two or more years, the agreement would terminate. He clarified if the use changed to residential, the parking lot would be closed off.

Councilmember Matthews inquired if overnight parking was allowed in the Government Center parking lot.

City Attorney Levin replied the agreement did not change the current allowed use of the parking lot.

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

MOTION UNANIMOUSLY CARRIED.

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of April 4, 2018

C. Legal Department

1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving a Pedestrian Bridge and Easement Agreement with 321 Dynasty, LLC; authorizing the Mayor to execute the Agreement on behalf of the City; directing the City Clerk to record the easement; and providing an effective date.

Citizen Comments – Regular Agenda Items Only

Ms. Jay Atkinson stated she and many other families in the area were against allowing parking on the grass in Gilchrist Park, opining it was a safety issue. She stated there was already one incident on the record where a child was almost run over.

Ms. Sheila Yaeger objected to allowing parking on the grass in Gilchrist Park.

Ms. Margie Blackwell voiced support for allowing the Guitar Army to park on the grass (option three on the report).

Mr. Daily expressed support for option three.

Ms. Holly Kershaw suggested returning the park to its previous design where it was possible to pull up and drop off passengers or equipment, opining that along with some additional parking would solve the problem.

Ms. Andrea Gately commented habits had changed, and the Guitar Army did not have as large an audience as in the past, asserting it was not due to the parking. She concluded there should be no parking on the grass.

Ms. Julie Moriarty stated the City should be more than just a reward for a life well lived elsewhere, adding everyone, especially those who had lived in the City their entire lives, should be given the opportunities provided by the natural process of growth, which included a living wage and affordable housing.

Ms. Julie McGillivray stated the City needed to be financially sound, voicing concern the Federal Emergency Management Agency (FEMA) might not be able to provide financial assistance in the future. She opined due to the seasonal nature of many residents, it was necessary to attract businesses to the City, suggesting enlisting the help of a consultant to determine the City's niche and what types of businesses would be appropriate.

Ms. Janice Chupka opined parking on the grass in Gilchrist Park should not be allowed, asserting it caused much damage, including divots which were a haven for mosquitos and caused uneven surfaces which increased trip and fall risks for the elderly.

Mr. Chip Watts spoke in favor of allowing parking on the grass for the Guitar Army.

Mr. Michael Haymans displayed a video and pictures of the Guitar Army as well as a diagram of an area where he was requesting parking on the grass be allowed.

Ms. Mueller suggested utilizing the Guitar Army in advertising to bring younger people to the City.

BUDGET

Award of Amendment #26 – Design/Engineering Services for Harborwalk West Area 1 Restroom Facility to Weiler Engineering Corporation in accordance with the Master Agreement U2008007/Harborwalk and Amenities Design.

City Manager Kunik explained sales tax funds would be utilized to design the second restroom near the pavilion.

Councilmember Prafke **MOVED** approval of awarding Amendment #26 to Weiler Engineering Corporation, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Punta Gorda at a Crossroads: Grow? Evolve? Status Quo?

Councilmember Wein presented information related to economic development of the City, as delineated within the agenda material, with the goal of promoting a more holistic and amicable discussion regarding determining the future of the City and developing a strategic plan for achieving those goals. He stated residents had expressed a desire for a number of enhancements while at the same time indicating their wish for things to stay the same, which was contradictory, pointing out enhancements involved cost. He noted the City's needs included moving forward with the Americans with Disabilities Act (ADA) Transition Plan, creating healthy operating reserves, hiring sufficient staff and maintaining retirement plan funding. He stated development projects required a reasonable purchase price as well as development and maintenance funding. He reviewed the City's demographics and a tax bill comparison, stating City residents paid a lower tax rate for the value of their property than did

residents of Charlotte County for the same goods and services. He pointed out the City had not adjusted its millage rate for five years. He stated the desired abovementioned enhancements would cost approximately \$26 million, with ongoing maintenance estimated at \$1.3 million annually. He summarized City Council had discussed the current status of the City but had not yet determined where the City should be in the future. He stated if done correctly, the City could have the desired accoutrements over time; however, tough decisions must first be made. He explained his hope for this presentation was to emphasize the need for the community, staff and Council to think more holistically, i.e., more building required more law enforcement and more fire protection and so forth. He commented infrastructure tended to be discussed piecemeal, acknowledging certain exceptions such as the Aquí Esta Drive area sometime in the future. He displayed photographs of Pearl Street in Boulder, Colorado, which included commercial and retail use with some taller buildings having been set back and tiered, stating the idea was to develop the codes and infrastructure necessary to be able to direct the community. He maintained all of the currently desired accoutrements would require an increase in the millage rate of 2.5 if there was no coincident commercial development. He clarified commercial development would subsidize the community's desires; however, the proper mix must be determined in order to maintain the City's character while staying viable. He voiced concern with the underlying financial issues if the City experienced a financial crisis, reiterating the future would require some difficult decisions.

Mayor Keesling inquired if Councilmember Wein had any specific Code changes in mind, recalling a discussion of reviving Main Street Punta Gorda; however, most Main Streets were dealing with filling vacant buildings rather than vacant lots.

Councilmember Wein replied he had not developed specific changes. He voiced concern regarding recent contentiousness which had developed, citing the issue of building height as an example. He opined it was necessary to listen to the context of discussions while not becoming emotional, clarifying it was also necessary to compromise. He asserted the commercial areas which had not recovered from Hurricane Charley in 2004 must be addressed, noting the commercial tax base had decreased 20% since that time.

Mayor Keesling agreed the City was a victim of its current demographic, adding developers would not view Punta Gorda as a desirable location until something changed.

Councilmember Prafke commented favorably on the collaborative efforts which led to development of the Citizen's Master Plan (CMP), stating a vibrancy existed in the

community which had not been present previously. She suggested revisiting the CMP and hiring an outside consultant to facilitate discussions.

Mayor Keesling agreed, providing same was done by a professional.

Councilmember Matthews voiced agreement with revisiting and updating the CMP, suggesting planning be extended ten or even twenty years into the future.

Councilmember Cummings commented during his formative years, all residents' needs could be met within the boundaries of Punta Gorda; however, that was no longer the case. He pointed out the City of Venice had a similar demographic but did not suffer the same issues and even enjoyed a year-round economy. He then read a description of Celebration, Florida, into the record, asserting the City must take decisive steps with respect to restoration of its downtown before it was developed in an undesirable, albeit Code compliant manner.

Mayor Keesling voiced concern with the amount of misinformation and negativity being passed around, both by word of mouth and via social media sites.

Councilmember Prafke mentioned Council had intentionally been avoiding a discussion of service assessments; however, it might be time to explore same.

Councilmember Cummings opined macroeconomics were missing from the CMP.

City Manager Kunik confirmed Council was in favor of issuing a Request for Proposal to retain a consultant to review the CMP and determine the next step, noting Council could conduct the evaluations if desired. He pointed out a number of projects were underway, confirming staff would continue to move forward with architectural and building height guidelines. He reminded everyone Punta Gorda was an enviable community.

Councilmember Cummings then suggested consideration be given to establishment of a special district with its own governing body over those properties affected by the proposed Alligator Creek cut-through, opining same would reduce residents' costs.

Mayor Keesling confirmed discussion would be placed on a future agenda.

Councilmember Matthews stated she would be opposed to such a proposal.

UNFINISHED BUSINESS

Continued Discussion of the Ban on Parking on the Grass in Gilchrist Park

City Manager Kunik drew members' attention to the parking options developed by staff, as delineated in the agenda material, briefly reviewing same. He opined representatives of the Guitar Army would not be satisfied with the addition of parking spaces but rather were seeking to reinstate parking on the grass.

Councilmember Wein inquired if the Nickel Ride vendor could transport people from the Government Center parking lot directly to the pavilion.

City Manager Kunik replied same might not be possible unless the bollards were removed.

Mayor Keesling stated she recently observed the lawn at the Four Points by Sheraton Punta Gorda Harborside had been severely damaged by vehicles parking on same, adding the grass in Gilchrist Park would incur the same results if City Council allowed parking on the grass.

Councilmember Cummings opined certain groups had been overlooked during the planning process, adding Council's decisions should be based on citizens' input, competent substantial evidence and a reflection of the Comprehensive Plan, the latter providing a bigger picture. He acknowledged the existing parking ban; however, perhaps signage could be installed which allowed grass parking on Tuesdays and Thursdays only, particularly in light of the need for same as evidenced by the Guitar Army's events. He opined Council must work more diligently at meeting the needs of all residents as opposed to only vocal citizens.

Councilmember Prafke stated she took offense to Councilmember Cummings' comments as she personally expended much time communicating and meeting with residents every week. She commented these types of situations would occur when residents did not involve themselves in the planning process.

Mayor Keesling opined Council had good intentions for the roundabout and wished to accommodate annual Gilchrist Park events; however, she was disappointed in the way the site had evolved over time. She opined the area could have been designed as a "backwards P", allowing people to drive in and enjoy the sunset, for example. She questioned the basis for development of the raised area as same could have provided more space for parking. She pointed out any redesign required a Florida Department of Transportation review, opining expenditure of the associated costs would not be fiscally responsible. She expressed hesitation toward the proposed options other than the addition of more ADA parking. She noted Gilchrist Park had not yet experienced a full year of events or a rainy season, adding there would be additional construction associated with the restrooms.

Councilmember Cummings inquired if Parks & Grounds Division staff could decide when to allow grass parking such as prohibiting same when the ground was saturated. City Manager Kunik expressed opposition toward same.

Councilmember Cummings apologized for any offense taken at his earlier comments, noting he included himself when referring to "Council".

Councilmember Matthews stated it seemed the majority of Councilmembers agreed parking on the grass should not be allowed but believed additional parking was

needed. She opined the addition of 40 parking spaces was excessive and eliminated too much of the grass. She suggested a design similar to the previous lay-out which allowed parking closer to the gazebo, inquiring as to the rationale for eliminating the former L-shaped parking.

City Manager Kunik replied the intent was to provide parking along Harvey Street, to relocate the pavilions further back to allow for widening of the Harborwalk, to construct/relocate the restrooms, to update drainage facilities and to preserve greenspace.

Mayor Keesling asked the project engineer to comment on the parking issues.

Mr. Mike Giardullo, Weiler Engineering, stated at the next City Council meeting, Mr. Mitchell Austin, Urban Design Planner, would be presenting concept plans on the site's future development, including significant parking improvements. He explained the first phase of the project provided for heavy intensive uses but not the parking for same, noting the roundabout concept was approved in 2009 by a previous City Council. He confirmed the effects of parking and driving on the grassy areas of Gilchrist Park were discussed at length, pointing out the potential for sidewalk damage, for example. He commented on the financial risk involved with making changes to a project financed at least in part with grant funds, opining such changes could be justified by proving the changes were more costly than the initial improvement. He cautioned any changes to the as-builts must first be cleared by the State.

City Manager Kunik agreed the project's next phase would provide much more parking; however, it would not satisfy the desires of the Guitar Army organizers.

Councilmember Prafke spoke in favor of parking near the large pavilion. She mentioned a resident had suggested installation of a pavilion between the statue of Ponce de Leon and the existing parking lot as it would provide closer parking for the Guitar Army, acknowledging its close proximity to nearby residences.

Mr. Haymans opined adequate parking currently existed at Gilchrist Park for most situations; however, the Guitar Army events on Tuesdays and Thursdays represented a peak use time period. He noted grass parking had been allowed without incident for many years, urging Council to allow same again and bear the expense associated with any damage to the grass.

Mayor Keesling reiterated her opposition to allowing parking on the grass in Gilchrist Park due to safety and liability concerns.

Councilmember Cummings spoke in favor of signage for restricted parking only on Tuesdays and Thursdays.

Mayor Keesling stated she wished to see completion of all construction before any changes were considered.

Discussion ensued with regard to possible configurations and remedies.

City Manager Kunik summarized Councilmembers wished to maintain the status quo, to encourage Nickel Ride to operate in the subject area and to install two additional ADA parking spaces.

BOARDS AND COMMITTEES

Announcement of Vacancies

Code Enforcement Board Alternate

Historic Preservation Advisory Board Alternate

City Clerk Smith announced the vacancies.

Nominations

Utility Advisory Board (2)

Councilmember Matthews **MOVED** to nominate and appoint Mr. James Hoffman and Mr. Bill Schindler to the Utility Advisory Board, **SECONDED** by Councilmember Prafke.

MOTION UNANIMOUSLY CARRIED.

Historic Preservation Advisory Board

Councilmember Matthews **NOMINATED** all interested parties.

Punta Gorda Housing Authority

Councilmember Matthews **NOMINATED** all interested parties.

Appointments

Building Board Alternate

Voting forms were distributed.

City Attorney Levin announced Mr. Lawrence Gotfredson had received the majority of votes and was thus appointed to the Building Board.

POLICY AND LEGISLATION

CUMMINGS: Announced the Cooper Street Recreation Center had received donations from the Bernice Russell Community Development Center and the Congregationalist Church to begin a career assessment program, providing a brief description of the latter.

MATTHEWS: Suggested the City Attorney move forward with foreclosure on 1601 Tamiami Trail.

City Attorney Levin advised the foreclosure process was underway.

City Manager Kunik mentioned the property owner, Mr. Doug Plattner, had retained a new attorney with whom he would be meeting the following week.

PRAFKE: Thanked Vice Mayor Wein for his earlier presentation, stating she believed same sparked an interesting discussion.

CITIZENS COMMENTS

Mr. John Miller expressed appreciation for the discussion on appropriate growth.

Ms. Sheila Yaeger urged Council to ensure maintenance of an expanse of grass on which children could play.

Ms. Niles voiced appreciation for the recent community meeting. She inquired if vacant downtown property owners were surveyed regarding desired building height.

Mr. Goldberg voiced appreciation for the discussion on growth.

The meeting was adjourned at 1:25 p.m.

Mayor

City Clerk