

**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, MAY 16, 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.

**PROCLAMATIONS/PRESENTATIONS**

**Emancipation Day**

**Councilmember Prafke** presented the proclamation to Ms. Althemese Barnes.

**March for Peace, Justice and Community Unity Day**

**Mayor Keesling** presented the proclamation which was accepted by Ms. Kara Williams.

**The 13th Army Band of the Florida National Guard Day**

**Councilmember Wein** presented the proclamation, which was accepted by Mr. Frank Mazur.

**Safe Boating Week**

**Councilmember Matthews** presented the proclamation, which was accepted by Ms. Sandra Darna, U.S. Coast Guard Commander, and Mr. Michael Griffith, Flotilla 98 Commander.

**Downtown Walkability – Representative from Nickel Ride**

Mr. Juddah Longgear briefly described Nickel Ride, an innovative and eco-friendly transportation service which connected the community with local businesses. He announced on June 1, 2018, operations would launch in downtown Punta Gorda with 3 vehicles, displaying a map of the proposed service area, as delineated in the agenda material. He noted the proposed hours of operation were Monday through Friday, 11:00 a.m. to 9:00 p.m., Saturday 11:00 a.m. to 12:00 a.m. and Sundays from 12:00 p.m. to 6:00 p.m. He stated Nickel Ride's website provided information and an application which identified vehicle locations for those seeking a ride.

**Councilmember Matthews** inquired as to insurance.

Mr. Longgear replied the company maintained insurance of \$1 million on each vehicle, and drivers were carefully screened.

**Councilmember Matthews** inquired as to storage of the vehicles.

Mr. Longgear replied those details were still being worked out.

**Councilmember Wein** confirmed additional vehicles could be brought in for events.

Mr. Longgear explained the vehicles were compliant with the Americans with Disability Act (ADA), and drivers were trained to provide assistance.

**Councilmember Prafke** requested information be provided in the Weekly Report.

Mr. Longgear reported a ribbon cutting was scheduled at Gettel Automotive on May 31, 2018, noting a launch party would be held on June 1, 2018, at the Wyvern Hotel.

### **Introduction of Board/Committee Member Nominees**

None.

### **PUBLIC HEARINGS**

**ZA-04-18 - 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 26-3.1(b), "Overlay Districts", adding a new "EPCO: Emerald Pointe Condominium Overlay District" classification; creating a new Section 26-3.20, establishing regulations for the Emerald Pointe Condominium Overlay District; providing for conflict and severability; and providing an effective date.**

#### **FIRST READING**

Ms. Lisa Hannon, Zoning Official, explained City Council had directed staff to work with the Emerald Pointe Condominium Association (EPCA) to create an overlay district which would delineate permitted setbacks and uses for each phase of the development, explaining the subject ordinance would apply to Emerald Pointe Condominiums Phases I through VI. She noted the EPCA approved the proposed ordinance and overlay map. She concluded staff and the Planning Commission recommended approval.

Mr. Tyler Hyatt thanked City Council and staff for their assistance with the process.

**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-04-18, **SECONDED** by Councilmember Wein.

**MOTION UNANIMOUSLY CARRIED.**

### **Consent Agenda**

A. Citizen Comments - Consent Agenda Items

There were none.

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

**MOTION UNANIMOUSLY CARRIED.**

- B. City Clerk's Department
  - 1. Approval of Minutes: Regular Meeting of May 2, 2018
- C. Legal Department
  - 1. Invoices of Icard, Merrill, Cullis, Timm, Furen & Ginsburg, P.A. for services rendered through May 10, 2018.
- D. Urban Design Division
  - 1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving the Florida Shared-use Non-motorized Trail Network Agreement with the Florida Department of Transportation relating to the construction of the North Alligator Creek Pedestrian Bridge; authorizing the City Manager to enter into the Agreement on behalf of the City; and providing an effective date.
  - 2. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Charlotte Harbor National Estuary Program, authorizing the City Manager to sign the grant agreement and administer the Florida Department of Environmental Protection, Coastal Partnership Initiative *Citizen Seagrass Gardening* Grant on behalf of the City; appropriating the grant award; and providing an effective date.
  - 3. A Resolution of the City Council of the City of Punta Gorda, Florida, repealing Resolution No. 3294-17 and approving the updated Interlocal Agreement for Coordinated Planning and School Concurrency (May 2018) between the City of Punta Gorda, Charlotte County and School Board of Charlotte County, Florida; authorizing the Mayor to execute the Interlocal Agreement on behalf of the City; providing for conflict and severability; and providing an effective date.
- E. Police Department
  - 1. Application of FY 2017-2018 Police Department US Department of Justice, Office of Justice Programs - Bulletproof Vest Partnership
- F. Utilities Department
  - 1. A Resolution of the City Council of the City of Punta Gorda, Florida, approving a Utilities Agreement with D. R. Horton, Inc. relating to the removal and reinstallation of water and sewer facilities within the Clause Creek Development; authorizing the Mayor to sign the agreement; and providing an effective date.

**Citizen Comments – Regular Agenda Items Only**

Ms. Connie Cantor stated City Council had previously made a commitment to the Boy Scouts by allowing the Louis Culver Scout House to be constructed at the west end of Gilchrist Park, requesting that commitment be honored by ensuring any development

of the area include a fully operational and dedicated scouting facility. She requested the Boy Scouts be given an opportunity to provide input, noting they had several ideas for funding.

Ms. Sheila Yaeger objected to losing four mature trees in exchange for a single parking space in Gilchrist Park.

Ms. Sheri Lenore, Smart Growth Punta Gorda (SGPG), explained SGPG was a citizens group whose mission was to assist the City in retaining Punta Gorda's small, hometown Florida feel while promoting smart growth and economic stability via citizen participation in a comprehensive planning process. She stressed citizens should be allowed to voice their opinion regarding the scope and consulting firm selection criteria for the update to the Citizens Master Plan.

Ms. Lisa Wager suggested several criteria for selection of a consulting firm.

Mr. John Burn, Punta Gorda Boat Club (PGBC), spoke regarding the Gilchrist Park Waterfront Activity Center (WAC) request for proposal, stating the PGBC looked forward to being involved in the process and had been discussing how to make the future use of Gilchrist Park most beneficial for the community. He stated the design should focus on affordability both from an initial cost perspective and ongoing operating expenses.

**Mayor Keesling** noted the WAC discussion had been removed from the agenda and would be rescheduled for a future meeting.

### **BUDGET**

#### **Award of Amendment #2 to Wharton-Smith to establish the Guaranteed Maximum Price (GMP) and completion time for the construction of the Groundwater Reverse Osmosis Water Treatment Plant.**

City Manager Kunik stated approval of the amendment would allow the project to continue moving forward. He stated the total project cost was approximately \$40 million, noting the Southwest Florida Water Management District (SWFMWD) had approved 50% funding of the original estimated cost of \$32 million; however, staff planned to request approval of 50% funding of the additional \$8 million.

**Councilmember Matthews** confirmed the GMP did not include any change orders.

Mr. Tom Jackson, Utilities Director, stated cost savings which might be realized were also not included.

Ms. Marian Pace, Procurement Manager, explained tax savings would be transferred to a contingency fund which would then be used to fund change orders.

Councilmember Wein **MOVED** approval of awarding Amendment #2 to Wharton-Smith, **SECONDED** by Councilmember Prafke.

**MOTION UNANIMOUSLY CARRIED.**

**FY 2019–2023 Year Capital Improvements Program (General Construction and Local Option Sales Tax).**

Ms. Kristin Simeone, Interim Finance Director, displayed a PowerPoint Presentation on the Capital Improvements Program FY 2019 – FY 2023 for the General Construction Fund, 1% Sales Tax Fund and Unfunded Projects, as delineated in the agenda material. She displayed the proposed pro forma for the General Fund, briefly reviewing the list of projects and costs.

City Manager Kunik requested the Procurement Manager provide the status of evaluating the rebids for the drainage regrading and restoration contractor.

Ms. Pace reported two favorable references had been received for the low bidder, adding same would be presented to City Council at their June 6, 2018 meeting. She stated the bids for the restrooms at Gilchrist Park had been opened; however, it was necessary to obtain references for the low bid contractor, noting same would also be presented on June 6, 2018.

**Councilmember Matthews** inquired why funds for the drainage improvement program were proposed to be utilized for other projects.

Ms. Simeone responded the program was behind schedule, and it might not be possible to catch up, adding the funds were budgeted from the General Fund; therefore, the funding source remained the same.

City Manager Kunik stated if City Council preferred to retain the funding of \$115,000 which remained from the previous year's drainage program, staff would fund the other projects with General Fund reserves.

**Councilmember Wein** interjected residents should be responsible for their own lot.

Discussion ensued with consensus to utilize the \$115,000 for other projects.

Ms. Simeone displayed the proposed pro forma for 1% sales tax revenue, as delineated in the agenda material, briefly reviewing the projects.

City Manager Kunik stated staff was evaluating the bids for the additional Laishley Park parking lot, noting same would be presented to City Council at the June 6, 2018 meeting.

**Councilmember Wein** suggested ADA projects be accelerated wherever possible.

**Councilmember Matthews** inquired as to prioritization of the 1% sales tax projects.

**Mayor Keesling** pointed out projects were selected by the 1% Sales Tax Program Committee; therefore, the City was committed to completing most of them, adding the Ponce de Leon Park project would likely be carried over.

City Manager Kunik noted citizens had voted for the projects on the list, adding some of the cost estimates had changed; however, annual projected revenues had increased

from \$2 million to \$2.8 million. He confirmed City Council desired a prioritized list, with those which were further along being the higher priority projects.

Ms. Simeone stated City Council might want to further prioritize the remaining projects on the list. She then reviewed the unfunded project list.

**Mayor Keesling** inquired as to funding for Veteran's Park Phase II design and construction.

City Manager Kunik replied same was an estimate based on a conceptual design, adding a veterans group would attempt to raise the funds; however, if they were not able to do so, the City might want to take it on in a future sales tax program.

Ms. Simeone concluded the review of the unfunded projects.

City Manager Kunik stated the list was staff's first attempt at providing input for the next round of possible sales tax projects which would be voted on in 2020.

**Mayor Keesling** inquired as to the timing of the impact fee study.

Ms. Simeone replied a meeting would be held with the consultant in the next week.

#### **FY 2019 General Fund Budget Status Update**

Ms. Simeone reviewed the FY 2019 Budget Status Report and Alternatives, as delineated in the agenda material, stating there had been a reduction in the workforce of 10.9%, noting as of FY 2018 personnel was at 279. She reported between FY 2008 to FY 2018, operations had increased only 5%. She reported personnel costs had increased only 11.3% despite increases in health insurance and pension expense, adding those costs were mitigated through limited or no pay increases, position eliminations, shifting of benefit expense to employees and changes to the pension plans. She stated for the same time period, operating costs had been reduced by 11.2% through operational efficiencies. She reviewed the General Fund assumptions, which included a 6% increase in ad valorem with the millage rate remaining at 3.1969 and including transfers of \$459,000 for road resurfacing and \$500,000 for the drainage project. She stated all other revenues were estimated at a 1% increase overall. She stated expense assumptions included a 3% salary increase, 6% increase in health insurance and 10% increase in workers compensation. She reviewed current financial policies, noting the City would continue to progress toward achieving a balanced budget without relying on reserves. She drew members' attention to the Capital Outlay Five Year Plan and General Fund Summary, reporting a projected budget gap for FY 2019 and use of reserves in the amount of \$628,750. She provided an outline of changes in operating expenses. She compared the FY 2018 General Fund to FY 2019, noting an increase of 3.4% to total operations. She reported estimated

ending operating reserves of \$3,614,750 for FY 2018 with estimated ending reserves available for allocation of \$1,822.750.

**Councilmember Wein** voiced concern the City did not have a minimum reserve but was funding other programs while there had been no millage rate increase for several years.

Discussion ensued regarding reserves.

Ms. Simeone reviewed projected amounts for proposed staffing needs, noting \$1,580,950 in reserves was available for allocation for several projects, including the Pay Plan Study Implementation cost of up to \$600,000.

Police Chief Pam Davis explained the rationale for hiring two Community Engagement Officers.

City Manager Kunik pointed out the program would not be effective until July 1, 2019, depending upon an evaluation of the Police Department once fully staffed.

**Mayor Keesling** confirmed the positions would be filled by current staff as an experienced officer was needed. She then noted the agenda material included detailed rationale for the staffing requests.

Discussion ensued regarding the approach to Police Department staffing.

Chief Davis reviewed the request for three additional School Resource Officers, noting the Charlotte County School Board would fund the positions.

Fire Chief Ray Briggs provided a detailed review of the request for an Emergency Medical Services Training Chief, including rationale as it related to history of call volume and required training for personnel, confirming the Training Chief was a management position. He provided a lengthy explanation of Insurance Service Office (ISO) and the Fire Department's goal of improving its current "3" rating.

Discussion ensued regarding Fire Department staffing.

Mr. Brad Schuette reviewed the Information Technology Division's request for a Computer Support Specialist position.

**Note: A short recess was called at 11:03 a.m.**

City Manager Kunik confirmed Council had no objections to including the proposed staffing needs in the projected budget.

Ms. Simeone then advised Aqua's Year 2 proposal totaled \$111,000.

**Councilmember Matthews** voiced concern regarding expending \$111,000 on the Strategic Communications Plan and \$75,000 on a Request for Proposal (RFP) for the WAC, recommending those funds be allocated to the Citizens Master Plan update, which would include the WAC.

**Councilmember Cummings** disagreed, opining City Council had committed to Aqua by approving Year 1.

**Councilmember Matthews** countered the City's Communications Manager was capable of marketing the City.

**Councilmember Cummings** suggested Aqua would augment her efforts in obtaining far greater results.

**Mayor Keesling** opined it was necessary to complete execution of the plan, pointing out same had been a part of the City's Strategic Plan for many years.

**Councilmember Wein** agreed it was necessary to move forward, opining Year 2 would provide more tangible results.

**Councilmember Prafke** stated the Communications Manager should participate in public events such as ribbon cuttings and Punta Gorda Chamber of Commerce events; however, she agreed coaching from Aqua would be beneficial strategically.

Ms. Simeone concluded with comments on unfunded alternatives, including the Citizens Master Plan. She noted a \$5 increase in the lot mowing assessment was proposed to cover additional costs.

#### **UNFINISHED BUSINESS**

**Note: The Master Plan was heard following Harborwalk at Gilchrist Park.**

#### **Master Plan – Draft Request for Proposal**

Ms. Joan LeBeau, Urban Design Manager, drew Council's attention to the draft scope of services prepared for City Council's input.

**Councilmember Cummings** stated Council should be acting upon the advice of licensed professionals and not upon perceived popular opinion. He opined the City could build upon the 2005 Citizens Master Plan, adding Aqua's branding study essentially constituted a 2017 update to the community's vision. He expressed a desire to hold a workshop with business owners to obtain a picture of the current business environment. He explained staff could then design a technical study, providing a detailed explanation of what same might consist of. He spoke in favor of performing a comparison of the conclusions of the Citizens Master Plan, the branding study and business owner workshop with the current Land Development Regulations (LDRs) followed by a series of renderings of cityscapes based on those conclusions along with staff recommendations to be accompanied by draft LDRs. He stated a public outreach campaign could be conducted at the same time, followed by facilitation of a number of all-inclusive public education and review sessions. He stressed City Council was building the City's architectural and economic foundations for the next 50 years, adding like any other great American city, Punta Gorda needed



to hire the best licensed professionals to provide residents with the best solutions rather than leaving it to guesswork. He stated the focus should be on effectiveness rather than appeasement, reiterating residents empowered with education on zoning laws and best practices would be able to provide the best comments so that the LDR framework can be accommodated to meet the best long term needs of the City. He concluded it would then be possible to rebuild the downtown with the appropriate architecture for accentuating its historic identity while providing an optimum environment for business to thrive.

Councilmember Cummings **MOVED** to take no further action regarding the Citizens Master Plan until an assessment was conducted of the effectiveness of the 2005 Plan and a Council workshop was held with the business community. He stated an economic study was needed on what businesses would work in Punta Gorda in addition to renderings of cityscapes, cultivation of expanded public constituencies and civic education seminars on Florida zoning laws and best practices in urban design.

**MOTION DIED FOR LACK OF A SECOND.**

**Mayor Keesling** stated she was open to holding a workshop with the business community; however, she questioned whether business owners would speak freely.

**Councilmember Prafke** stated business owners had no need for a special workshop as they felt they were being heard, adding the effectiveness of the original Citizens Master Plan was already known. She stressed the City retained only licensed professionals with excellent credentials, adding there was an economic development group which worked through the Chamber who could assist the City. She opined Aqua's work was simply not the same as that of the Citizens Master Plan, voicing concern regarding not moving forward.

**Mayor Keesling** stated while staff had done a cursory review of the 2005 Plan's results, the effectiveness of same was uncertain.

**Councilmember Wein** stated the Master Plan was a living plan which should have been evaluated. He stated if the City issued an RFP, it should include 3D renderings based on certain architectural criteria, proffering the idea of a perpetual proposal which allowed addendums to be made. He agreed additional outreach was necessary.

Ms. Pace advised the entire process of retaining professional services was strictly guided by State Statute.

Discussion ensued regarding the procurement process.

**Mayor Keesling** opined the draft RFP should be more closed ended.

**Councilmember Matthews** stated hiring an outside consultant was critical, adding it was imperative to involve all residents, both full- and part-time, in the planning

process. She explained an outside consultant would bring fresh ideas and comparative information.

**Councilmember Prafke** commented one major goal missing from the proposed RFP was to preserve the historic character of the community. She suggested the RFP could be more focused more toward an architectural vision.

Councilmembers expressed agreement with same.

**Councilmember Wein** discouraged members from discussing too much minutia at this point, adding it was agreed the goal was to preserve the historic character in a more modern tone. He stated a professional consultant was needed to assist with developing an appropriate plan and then to maintain and help the plan evolve.

**Councilmember Cummings** reiterated his desire for Council to hold a workshop with the business community in order to determine the effect of the 2005 LDRs on same.

City Attorney Levin reminded Council the agenda item was a "Draft RFP", stating perhaps Punta Gorda could model its RFP after that of a similar municipality which had been successful in their process.

City Manager Kunik stated the City of Fort Myers was one such community, adding their downtown core was a walkable community with residences as well as a vibrant commercial sector.

**Mayor Keesling** noted Fort Myers' downtown was comprised of existing historic structures needing gentrification while Punta Gorda's issues were more related to empty lots.

**Councilmember Prafke** opined the RFP submitted by staff should be refined and simplified based on comments made this date, the result being a more streamlined version.

**Mayor Keesling** recommended including draft changes to the LDRs to act as a framework.

**Councilmember Matthews** stated the 2005 Citizens Master Plan should be specifically referenced in the RFP as should the ideas expressed earlier by SGPG.

Councilmember Cummings **MOVED** to hold a workshop with business people, **SECONDED** by Councilmember Wein.

**VOTING AYE: Cummings, Wein, Keesling.**

**VOTING NAY: Matthews, Prafke.**

**MOTION CARRIED.**

City Manager Kunik summarized staff would provide a scaled down RFP and would research other communities for sample scopes.

**Councilmember Matthews** suggested developing a list of criteria, confirming City Council would interview and select the consultant. She recommended including the WAC RFP in the Citizens Master Plan funding.

**Councilmember Cummings** and **Mayor Keesling** disagreed.

**Councilmember Wein** countered the vision for the City should be considered holistically.

**Councilmember Matthews** asserted groups such as the Punta Gorda Boat Club and all those who met at the Bayfront Center should also be included so as to make this a community project.

**Councilmember Wein** clarified the consultant retained for the Citizens Master Plan should be made aware of the WAC and should incorporate existing projects into the plan.

City Manager Kunik concluded a scope and draft RFP for the WAC would be presented to Council at a future meeting.

**Note: Harborwalk at Gilchrist Park was heard prior to Master Plan.**

**Harborwalk at Gilchrist Park Areas 2a & 2b (Area II) – Gill Street Parking Lot Options A & C**

Ms. LeBeau reviewed the Gill Street Parking Lot options, as delineated in the agenda material, stating Council had requested staff research the impact of adding street parking. She reported the two options and associated costs were as follows: Option A, +\$30,000; Option C, +\$71,000.

Consensus was approval of Option A.

**RECOMMENDATION FROM CITY OFFICERS**

**CITY MANAGER**

City Manager Kunik briefly reviewed June 2018 agenda items: drainage contractor; playground restroom bids; utilities budget; canal maintenance budget; Burnt Store Isles underground utilities assessment.

**BOARDS AND COMMITTEES**

**Announcement of Vacancies**

Burnt Stores Isles Canal Advisory Committee

City Clerk Smith announced the vacancy.

**Appointments**

Historic Preservation Advisory Board Alternate

Voting forms were distributed.

City Attorney Levin announced Mr. James Williams had received the majority of votes and was thus appointed to the Board.

## **POLICY AND LEGISLATION**

**WEIN:** Stated the Whippoorwill Boulevard triangle property had been sold recently, opining the City should consider purchasing same.

**MATTHEWS:** Commented favorably on Florida Gulf Coast University's findings regarding the Nesbit Street/East Marion Avenue intersection.

- Stated the Block Party organizers were very appreciative of the City's assistance.

**CUMMINGS:** Reminded everyone of the Emancipation Day celebration at the Blanchard House Museum on May 19, 2018, at 10:00 a.m.

## **CITIZENS COMMENTS**

Ms. Cantor suggested citizen input should be the first step in updating the Citizens Master Plan.

Ms. Lenore commented favorably on the proposal to update the Citizens Master Plan, stating the consultant must be an expert with "charrette" training.

Ms. Wendy Mueller asserted the 2005 Citizens Master Plan should have been formally reviewed after 5 years.

Ms. Wager urged Council to maintain the personal aspect of the Citizens Master Plan.

The meeting was adjourned at 12:39 p.m.

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Mayor

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City Clerk