

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, APRIL 5, 2017, 9:00 A.M.**

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

CITY EMPLOYEES PRESENT: Dave Drury, Finance; Rick Keeney, Public Works; Tom Jackson, Utilities; Phil Wickstrom, Human Resources; Teri Tubbs, Joan LeBeau, Urban Design; Jason Ciaschini, 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.

Mayor Keesling announced the Gopher Tortoise Day proclamation would be presented first, an emergency ordinance had been moved to the Public Hearing section and the maximum fence height item would be heard prior to the Marion Avenue/Maud Street intersection discussion.

PROCLAMATIONS/PRESENTATIONS

Autism Awareness Month

Councilmember Prafke presented the proclamation, which was accepted by Ms. Maureen Morris.

Gopher Tortoise Day

Councilmember Cummings presented the proclamation, which was accepted by Mr. Jacob Crabtree, Florida Gulf Coast University student.

National Telecommunications Week

Mayor Keesling presented the proclamation to Ms. Audrey Denis, Police Department Dispatcher.

Acting Police Chief Jason Ciaschini spoke regarding the responsibilities and activities of the Communications Division of the Police Department, thanking them for their service.

10 year Service Award, Linda Sposito, Senior Project Manager, Engineering Division

Mayor Keesling announced presentation of Ms. Sposito's award would be rescheduled.

10 year Service Award, James Canfield, Fire Lieutenant, Fire Department

City Manager Kunik presented the award to Mr. James (Tyler) Canfield.

Fire Chief Ray Briggs spoke of Mr. Canfield's service to the Fire Department and the community.

Introduction of Board/Committee Member Nominees

Mr. Brad Gamblin introduced himself as a nominee for the Firefighters' Pension Board.

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

PUBLIC HEARINGS

CP-04-16 – An Ordinance of the City of Punta Gorda, Florida, adopting the Evaluation and Appraisal Report-based Amendments including the goals, objectives and policies of the City of Punta Gorda Comprehensive Plan 2040 containing the Future Land Use Element, Conservation & Coastal Management Element, Infrastructure Element, Housing Element, Recreation and Open Space Element, Community Facilities Element, Transportation Element, Public Schools Facilities Element, Intergovernmental Coordination Element, Historic Element and the Capital Improvements Element in accordance with Chapter 163.3191, Florida Statutes; and repealing text, maps, analysis and related materials of the 2025 Comprehensive Plan; providing for conflict and severability; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Ms. Joan LeBeau, Chief Planner, stated the Comprehensive Plan 2040 had been transmitted to the Department of Economic Opportunity (DEO) in October 2016, noting the DEO had returned a couple of objections, recommendations and comments. She stated staff had made the appropriate revisions to the Comprehensive Plan as delineated in the agenda materials. She stated the Planning Commission and staff recommended approval and adoption of the ordinance as amended with the DEO's requested changes.

Mayor Keesling called three times for anyone to speak on CP-04-16.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of CP-04-16, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

GA-02-17 – An Ordinance of the City of Punta Gorda amending the City of Punta Gorda Police Officers' Retirement System, restated pursuant to Ordinance 1644-10, amending Section 1, Definitions by amending the definitions of "Actuarial Equivalent", "Credited Service" and "Spouse"; amending Section 4, Finances and Fund Management; amending Section 5, Contributions; amending Section 6,

Benefit Amounts and Eligibility; amending Section 8, Disability; amending Section 15, Maximum Pension; amending Section 27, Prior Police Service; amending Section 28, Deferred Retirement Option Plan; adding Section 30, Supplemental Benefit Component for Special Benefits; Chapter 185 Share Accounts; providing for severability of provisions; repealing all ordinances in conflict herewith and providing an effective date. **FIRST READING**

City Attorney Levin read the ordinance by title.

City Manager Kunik stated the proposed ordinance would establish the minimum 12% City contribution, as was done for the other two City Pension Plans, as well as establishment of the required Share Plan and mandated Internal Revenue Service changes.

Mayor Keesling called three times for anyone to speak on GA-02-17.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Prafke **MOVED** approval of GA-02-17, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

An Emergency Ordinance of the City of Punta Gorda, Florida, amending Chapter 15, Ordinances and Miscellaneous Provisions; adding a new Section 15-48, "Control of Access to City-owned, Controlled and Leased Property"; providing for recognition that certain areas of City-owned, controlled and leased property may require regulation of public access to provide for the security and privacy of public visitors, to provide for the security and privacy of City employees and officials and to minimize potential disruptions to the work of City Government; providing the City Manager with the authority to manage public access to City-owned, controlled and leased property; providing the City Manager with the authority to designate which areas of City-owned, controlled and leased property are to be considered "Designated Public Forum", "Limited Designated Public Forum" and "Non-public Forum"; authorizing the City Manager to separate designated public forums from non-public forums; authorizing the City Manager to develop and implement procedures to regulate and control public access to City-owned, controlled and leased property; prohibiting the unconsented recording of video and audio within City-owned, controlled and leased property, except during public meetings; providing for enforcement; providing for conflicts; providing for severability; and providing an effective date.

Emergency Ordinance concerning Public Access to City-owned, Controlled and Leased Property.

City Attorney Levin read the ordinance by title and briefly described a recent incident in the City Annex building, stating although City Hall operated in a very open manner, a deficiency existed with respect to the ability to control the non-public work areas as did a misconception regarding what meetings were open to the public versus those which were essentially staff meetings. He drew members' attention to his April 4, 2017 memo, as delineated in the agenda material, stating the proposed ordinance recognized certain areas which were intended primarily for the use of City employees. He noted the latter areas might also be utilized from time to time for the convening of public meetings, adding certain areas might be open to the public while engaging in legitimate business with the City. He pointed out other areas existed which were primarily intended for the convening of public meetings. He concluded the City Manager had established a committee to discuss prompt implementation of the ordinance.

Mayor Keesling opined this action should also be viewed as a tool to establish a safe, efficient workspace for City employees.

City Attorney Levin added the ordinance also provided for the security of those non-employees conducting business at City Hall.

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 the emergency ordinance, **SECONDED** by Councilmember Matthews.

MOTION UNANIMOUSLY CARRIED.

Quasi-Judicial Public Hearings

City Clerk Smith swore in the participants.

CP-01-17 - An Ordinance of the City Council of Punta Gorda, Florida, amending the City of Punta Gorda Comprehensive Plan Future Land Use Map for property generally described as 321 West Retta Esplanade, Punta Gorda, Florida, and more particularly described in Exhibit "A" attached hereto, containing 24,118 square feet +/-, from Low Density Residential/City (LDR/City) to Urban Village/City (UV/City); providing for conflict and severability; and providing an effective date.

FIRST READING

City Attorney Levin read the ordinance by title, noting CP-01-17 had been continued from March 15, 2017. He confirmed the intervener in this case was represented.

Ms. LeBeau stated the applicant was seeking approval of an amendment to the Future Land Use Map (FLUM) to change the current land use designation from LDR to UV. She explained the applicant wished to repurpose the historic home as a restaurant with courtyard seating, noting the UV FLUM designation was consistent with the surrounding areas. She reported trip generations could be accommodated by the existing transportation facilities, adding adequate water and sewer capacity was available, and stormwater requirements would be met as part of the Charlotte County Development Order Approval process. She advised the request was consistent with the Comprehensive Plan (CP), reviewing in detail the associated Objectives and Policies outlined in staff's findings and conclusions, as delineated in the agenda material. She entered the staff report into the record by reference, concluding staff and the Planning Commission recommended approval. She requested Council continue the second adoption reading to April 19, 2017.

Ms. Geri Waksler, Attorney, applicant's representative, submitted into the record proposed conditions of approval, introducing Mr. Jason Green, Engineer, and Ms. Laura Rossey, Engineer.

Mr. Green, Weiler Engineering, outlined his qualifications and experience and provided a detailed presentation, as delineated in the agenda material, on the proposal's consistency with the CP and compatibility with the surrounding area.

Ms. Rossey, Southwest Engineering & Design, spoke regarding her qualifications as an expert witness and discussed the traffic impacts of the proposed FLUM amendment. She confirmed a traffic study had been conducted and was provided in Council's agenda packet, providing a detailed review of same.

Ms. Waksler stated concerns were raised by a nearby property owner, Ms. Janice Chupka, which were identified and resolved through meetings between the two parties and resulting in the abovementioned list of proposed conditions of approval. She recommended the City replace the "No Thru Truck" sign across from the subject property on West Retta Esplanade as well as install "No Parking" signs on Harvey Street except in the existing cut-outs

City Attorney Levin confirmed the intervener had no cross examination and did not wish to make a presentation.

Ms. Allison Burch, Charlotte County Chamber of Commerce President, stated the Chamber Board recently voted to support the request as it was felt the proposal would have a positive economic impact on the community.

Mr. Harvey Goldberg referred to the aerial of the City block within which the restaurant was proposed to be located, stating the restaurant would not present a commercial encroachment into a residential block but rather would remove a residential use/unit out of an otherwise completely commercial block. He noted his comments were also applicable to Z-01-17 and SE-01-17.

Mr. Bill Leach voiced concern regarding changes to the CP, particularly those which encroached commercial use into a residential area, opining approval of the request would provide no overwhelming positive benefit to the community.

Ms. Kathy Getz voiced support of the project, urging Council to approve the request.

Ms. Patti Allen, Fishermen's Village (FV) General Manager, opined the project was a wonderful addition to the area.

Mr. Dennis Slaughter stated he was in favor of the project, noting he resided nearby in the Historic District.

Ms. Marilyn Smith-Mooney stated the building was historic but no longer useable as a residence, adding the proposal represented a unique use.

Mr. Gene McPherson stated zoning was problematic when exceptions were made; however, there seemed to be no objections by surrounding property owners.

Mayor Keesling called three times for anyone to speak on CP-01-17.

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

MOTION UNANIMOUSLY CARRIED.

Mayor Keesling reported she visited the site, adding there had been ample time for input from any concerned parties. She commented favorably on the proposed conditions of approval.

Councilmember Prafke disclosed she had also visited the site and had spoken with the developer and restaurant owner, stating the site had been a problem property since 2004. She opined the proposed use would be a contribution to the Historic District.

Councilmember Wein stated he had visited the site, commending the parties for working together to resolve their differences. He noted the traffic study had been done conservatively but did not address a positive aspect, specifically access from the south could be achieved via Taylor Street to Marion Avenue and then through the Government Center parking lot. He opined this was a very appropriate repurposing of the property.

Councilmember Matthews agreed, adding she was also glad to see the historic nature of the home preserved. She expressed support of the proposed conditions of

approval, stating she was firmly in favor of retaining West Retta Esplanade as a two-way street.

Councilmember Cummings disclosed he had visited the site and was impressed with what he felt was an exciting project which would assist in creating a critical mass of business in support of year round patronage.

Councilmember Prafke voiced concern regarding the abovementioned elimination of parking on Harvey Street, noting parking was allowed throughout the Historic District's streets. She opined the majority of restaurant patrons would utilize the Government Center parking lot.

Mayor Keesling confirmed the curbs on Harvey Street were not marked in yellow.

City Manager Kunik stated many City Hall customers and event patrons utilized Harvey Street for parking. He reminded Council when the Gilchrist Park project was complete, parking would be significantly reduced.

Mayor Keesling suggested Council consider the Harvey Street parking issue in the future.

Consensus was to keep the parking issue in abeyance for the time being.

Councilmember Cummings **MOVED** approval of CP-01-17 with the proposed conditions of approval, to continue the second adoption reading to April 19, 2017, and to transmit the approval at first reading to DEO, **SECONDED** by Councilmember Prafke.

Ms. Waksler inquired if Council's approval included replacement of the "No Thru Truck" sign.

Mayor Keesling replied the City could replace a previously existing sign.

MOTION UNANIMOUSLY CARRIED.

Z-01-17 - An Ordinance of the City Council of Punta Gorda, Florida, rezoning 24,118 square feet of property, generally described as 321 West Retta Esplanade, Punta Gorda, Charlotte County, Florida, and being more particularly described in Exhibit "A" attached hereto, from its current zoning classification of Neighborhood Residential (NR-10) to City Center (CC); providing for conflict and severability; and providing an effective date. **FIRST READING**

City Attorney Levin read the ordinance by title, noting Z-01-17 had been continued from March 15, 2017.

Ms. Teri Tubbs, Urban Design Manager, displayed an aerial view of the subject property, as delineated in the agenda material, and entered the staff report into the record by reference. She reviewed Findings #1 through #5(15), as denoted in the agenda material, concluding staff considered the application to be in order based upon

the known factors to include use, site planning and availability of infrastructure. She recommended approval of Z-01-17, offering to answer questions.

Mayor Keesling asked if the wall surrounding the property would be permitted to be replaced if construction, for example, required same to be removed.

Ms. Tubbs replied affirmatively, explaining the CC zoning district allowed a zero street yard setback.

Ms. Waksler called Mr. Tom Jackson, Utilities Director, to testify, asking if the City's utility system could accommodate a change from residential to commercial use.

Mr. Jackson replied affirmatively.

Mr. Green reiterated his testimony provided during the CP-01-17 public hearing and read a portion of Section 26-3.9, City Center District, Punta Gorda Code, into the record, noting the CC zoning district was anticipated to expand over time. He opined the proposed use was consistent with surrounding uses, adding sensitive integration was attainable through design and/or operations per Chapter 26 of the Punta Gorda Code, reading portions of same into the record.

Ms. Rossey reiterated her testimony provided during the CP-01-17 public hearing. She maintained this rezoning would have no effect on the current function of surrounding roadways, specifically drivers on Harvey Street and West Retta Esplanade would not notice a change.

Ms. Waksler summarized the rezoning request was consistent with the CP and compatible with the surrounding neighborhoods and uses, adding there would be no negative impacts on traffic, and existing facilities could accommodate the proposed use. She drew members' attention to the proposed conditions of approval, as presented during the CP-01-17 public hearing, requesting same be made a part of Council's approval. She apologized for the omission of Exhibit A, which she then displayed, requesting same be entered into the record. She reiterated the request to replace the "No Thru Truck" sign on West Retta Esplanade and to place "No Parking" signs other than the existing cut-outs.

Ms. Katie Berkey, attorney, stated she represented Ms. Janice Chupka, intervener, urging Council to take a firm stand on replacement of the abovementioned "No Thru Truck" sign. She further requested Council formally adopt all of the proposed conditions for approval and place the recommended "No Parking" signs on Harvey Street between Marion Avenue and West Retta Esplanade. She concluded Ms. Chupka was available to testify regarding the Harvey Street parking issue.

Mayor Keesling pointed out parking was not addressed in the proposed conditions of approval.

Councilmember Matthews noted two items which had been included in the agreement between the developer and Ms. Chupka were not covered in the proposed conditions of approval, asking if Council was being asked to approve the former or the latter.

City Attorney Levin replied approval should be conditioned on both, stating the parking issues were more specific to the rezoning than the CP amendment. He asked if the applicant had any objection to the agreement being made a part of the rezoning approval.

Ms. Waksler confirmed she had no such objection, pointing out the agreement had already been recorded in the Official Records of Charlotte County.

City Attorney Levin clarified the agreement would run with the land and would be binding upon any successors or assigns of 321 West Retta Esplanade.

City Manager Kunik stated the City had no objection to replacement of the “No Thru Truck” sign; however, he reiterated Harvey Street and other area side streets were used for neighborhood and events/activities parking. He clarified the proposed restaurant use was not germane to the issue, concluding staff could not recommend installation of “No Parking” signs on Harvey Street.

Ms. Chupka commented the existing yellow curbing at both ends of Harvey Street did not deter people from parking along same, maintaining emergency vehicles were unable to pass. She asserted her driveway was the only one directly affected, opining Harvey Street was used as a cut-through far more than the other area side streets. She contended an ordinance was in place which restricted parking on the east side of Harvey Street.

Ms. Wendy Mueller opined the traffic study was not valid as it was conducted while Gilchrist Park was closed, asserting patrons of the restaurant would park in areas other than the Government Center parking lot. She clarified she was not opposed to the restaurant provided the parking situation was addressed satisfactorily.

Mr. Leach voiced opposition to the request, stating the restaurant would be better located on U.S. 41.

Ms. Smith-Mooney suggested Council consider restricting parking to one side of Harvey Street, particularly to ensure emergency vehicle access.

Mr. Bob Fritz opined parking would be a problem, especially on weekends when event goers were utilizing the Government Center parking lot.

Mr. Bruce Laishley, applicant, opined very few restaurants in Punta Gorda as well as in other municipalities had their own parking lot.

City Manager Kunik asserted there were few occasions when the Government Center parking lot was full, acknowledging same might be more likely with the proposed

restaurant. He mentioned there were a number of areas available for free public parking.

Mayor Keesling called three times for anyone to speak on Z-01-17.

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

MOTION UNANIMOUSLY CARRIED.

Mayor Keesling stated she was amenable to discussing the parking situation on Harvey Street.

City Attorney Levin stated the request to limit parking on Harvey Street was not a proposed condition of the rezoning; thus, Council would have an opportunity to address same in the future.

Mayor Keesling confirmed Councilmembers were open to a more comprehensive, discussion of the parking situation in the future.

Councilmember Prafke interjected Ms. Chupka had advised an existing ordinance restricted parking on Harvey Street.

Ms. Tubbs explained that ordinance specified the 200 block of Harvey Street lying between West Marion and West Olympia Avenues, which was extremely narrow.

Councilmember Wein opined Council was not in a position to address parking until staff was given an opportunity to provide the information necessary to make an informed decision.

Councilmember Prafke **MOVED** approval of Z-01-17 with the addition of both the proposed conditions of approval submitted this date and the agreement submitted previously and to continue Z-01-17 to a date certain of April 19, 2017, contingent upon approval of CP-01-17, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

SE-01-17 - A request by Bruce Laishley, applicant and authorized agent on behalf of Don L. Horn and Federico Zuccarelli, as Trustees of the Don L. Horn Trust U/A/D January 8, 2008, for a Special Exception pursuant to Chapter 26, Section 26-16.8, Punta Gorda Code, to allow a restaurant within 200 feet of the Neighborhood Residential zoning district boundary, as is permitted by Special Exception approval per Chapter 26, Section 26-3.9(f)(10), Punta Gorda Code, on property addressed as 321 West Retta Esplanade, which is currently zoned Neighborhood Residential zoning district and pending rezoning to City Center (CC) zoning district.

City Attorney Levin read the request by title only, advising SE-01-17 could not be approved until Z-01-17 and CP-01-17 were adopted.

Councilmember Prafke **MOVED** to continue the SE-01-17 public hearing to a date certain of April 19, 2017, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

Note: A short break was called at 11:13 a.m.

ORDINANCE/RESOLUTION

No Public Hearing Required

Citizen Comments – Ordinance/Resolution Items Only

None.

GA-01-17 – An Ordinance relating to the provision of services, facilities, programs and local improvements in the City of Punta Gorda, Florida; authorizing the imposition and collection of assessments against property within the incorporated area of the City of Punta Gorda; providing certain definitions and defining the terms "assessment," "service assessment" and "capital assessment"; providing for the creation of assessment areas; establishing the procedures for imposing assessments; establishing procedures for notice and adoption of assessment rolls; providing that assessments constitute a lien on assessed property upon adoption of the assessment roll; providing that the lien for an assessment collected pursuant to Sections 197.3632 and 197.3635, Florida Statutes, upon perfection shall attach to the property on the prior January 1, the lien date for ad valorem taxes; providing that a perfected lien shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and assessments and superior in dignity to all other prior liens, mortgages, titles and claims; authorizing exemptions and hardship assistance; providing procedures for collection of assessments; providing a mechanism for the imposition of assessments on government property; authorizing the issuance of obligations secured by assessments and providing for the terms thereof; providing that the City's taxing power shall not be pledged; providing remedies; deeming that pledged revenues shall be considered trust funds; providing for the refunding of obligations; providing for severability; providing for codification; and providing an effective date.

SECOND READING

City Attorney Levin read the ordinance by title.

Councilmember Prafke **MOVED** approval of GA-01-07, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items

None.

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

MOTION UNANIMOUSLY CARRIED.

B. Urban Design Division

1. Approval to Proceed with Lien Foreclosure for 1601 Tamiami Trail
2. A Resolution of the City Council of the City of Punta Gorda, Florida, Authorizing the City Manager to Enter into a Funding Agreement as Host Agency to the Charlotte Harbor National Estuary Program to Receive Funding from the Village of Estero and Appropriate the Funds to Implement the CHNEP FY 2017 Workplan
3. A Resolution of the City Council of the City of Punta Gorda, Florida, Authorizing the City Manager to Enter into a Funding Agreement as Host Agency to the Charlotte Harbor National Estuary Program to Receive Funding from Manatee County and Appropriate the Funds to Implement the CHNEP FY 2017 Workplan

C. Police Department

1. Multi-Jurisdictional Traffic Task Force Voluntary Cooperation Law Enforcement Mutual Aid Agreement

D. City Clerk's Office

1. Approval of Minutes: Regular Meeting of March 15, 2017

Citizen Comments – Regular Agenda Items Only

Ms. Janet Watermeier, Visual Arts Center (VAC), stated action must be taken regarding the Marion Avenue/Maud Street intersection in the interest of safety.

Mr. John Liquore, Atlas Fence Company owner, expressed hope a resolution could be found to the fence related problems described in the agenda material.

Ms. Judy Whitcher stated ingress and egress into the Starboard Point Condominiums driveway immediately past the Marion Avenue/Maud Street intersection was dangerous, adding parking was not adequate at Fishermen's Village (FV).

Ms. Sandy Lesperance agreed the Marion Avenue/Maud Street intersection was dangerous, asserting there had been 45 accidents there since 2009.

Ms. Allen stated as the FV General Manager, she had raised this issue with the City, adding constant effort was being put forth to ensure adequate parking.

Mr. Jim Morrison voiced concern regarding the safety of the Marion Avenue/Maud Street intersection, stating the FV sign was not immediately visible to drivers. He suggested additional signage be placed at or immediately after Shreve Street.

Mr. Gene Pawlowski opined the entrance to FV should be relocated.

BUDGET

Award of Agreement for CHNEP Habitat Restoration Plan Update to Environmental Science Associates of Tampa, Florida.

Councilmember Prafke **MOVED** to award the CHNEP Habitat Restoration Plan Update agreement to Environmental Science Associates, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

Note: Unfinished Business was heard following New Business.

UNFINISHED BUSINESS

Marion Avenue – Maud Street Intersection.

Mr. Mark Gering provided a PowerPoint Presentation on the Marion Avenue/Maud Street Intersection, pointing out the high accident rate had not been alleviated by the lane markings installed previously. He clarified the most recent accidents were related to vehicles turning left from the right lane of Marion Avenue toward the VAC. He reviewed several options to resolve the issue, including a multi-way stop sign, a traffic signal, larger signage, a roundabout or delineators. He explained narrowing Marion Avenue to one lane and utilizing the remaining pavement for turn lanes to businesses was also an option. He concluded no one solution would solve every problem, opining a traffic signal and additional signage would be expensive, but was the best solution.

Mayor Keesling voiced approval of reducing Marion Avenue to one lane as it would have a traffic calming effect, adding she was also amenable to moving the FV entrance.

Councilmember Wein confirmed Marion Avenue and Olympia Avenue were over-engineered for traffic volume. He opined using a dedicated turn lane would not slow traffic flow, but rather would eliminate vehicles in the right lane slowing to turn into FV. He stated he was amenable to the idea of a dedicated merge lane for Henry Street.

Councilmembers Cummings suggested a combination of a dedicated turn lane and signage related to one-way traffic.

Councilmember Matthews opined the future parking garage FV would help alleviate congestion entering the parking lot. She stated residents she polled were not in favor of eliminating traffic lanes but were amenable to delineators and better signage.

Councilmember Prafke opined attention getting signage was necessary.

Discussion ensued regarding signage options and reducing Marion Avenue to one lane.

Councilmember Prafke inquired as to a large but decorative structure.

Mr. Mitchell Austin, Urban Planner, cautioned signs could be distracting to drivers, voicing concern regarding overhead signage approaching an intersection without a signal where there was pedestrian and bicycle traffic. He stated a monument sign was preferable, adding the large freeway type signs indicated to drivers they were in a

different type of environment. He stated signage was less effective than other design measures, such as a reduction in lanes which simplified the intersection and reduced potential collision points.

Councilmember Cummings inquired as to a one-way sign at street level.

Mr. Austin stated one way streets were an issue in many intersections since they were not common throughout the City.

Discussion ensued regarding types of signage and their effects on traffic.

Ms. Allen stated the problem at the entrance to FV occurred mostly during season between the hours of 12:00 noon and 4:00 p.m., suggesting a three-way stop.

Ms. Watermeier suggested a combination of signage and a lane closure; however, she also approved of a three-way stop.

Ms. Kathy Goetz spoke in support of additional signage for the VAC.

Ms. Ronna James suggested additional signage on Marion Avenue to direct traffic.

Mayor Keesling confirmed staff could provide sign renderings for Council's consideration.

City Manager Kunik clarified Councilmembers were interested in street/eye level signage which was somewhat decorative.

NEW BUSINESS

Discussion Regarding Maximum Fence Height and Method of Measuring

Ms. Tubbs stated City Code currently allowed fences to be a maximum of 48 inches in height. She explained fence contractors had expressed the need for a few inches of "wobble room" in order to have a level fence and to allow a fence gate to swing freely above grade. She inquired if Council was amenable to a Code amendment to address this issue.

Mayor Keesling stated she understood a conflict existed between pool barrier regulations and City Code; thus, consideration should be given to a situation in which a fence was being used as a pool barrier.

Ms. Tubbs stated a pool barrier latch must be at 54 inches, adding City Code allowed for same provided the fence panel did not exceed 48 inches and was installed as close as reasonable to grade.

Councilmember Wein asked Mr. Liquore to comment on what he felt was a reasonable number of inches to provide that "wobble room."

Mr. Liquore replied two to three inches. He explained St. Augustine grass was quite thick, adding he preferred to leave space at the base to avoid damage to the fence coating from lawn maintenance equipment.

Councilmember Wein clarified staff was required to interpret the Code literally.

Ms. Tubbs agreed, stating City Code required measurement from grade.

City Attorney Levin suggested simply requiring the panels to be no greater than 48 inches.

Ms. Tubbs expressed concern with same allowing a fence to be excessively high.

Mayor Keesling suggested language providing for “reasonable installation based on the terrain.”

Mr. Liquore noted State Statute limited gaps to a four inch sphere for child safety.

Councilmember Cummings opined the Code should be written to provide staff with the ability to use their discretion, i.e., “wobble room.”

Discussion ensued with regard to various methods of measurement.

Mayor Keesling opined the contractor’s installation method seemed reasonable.

City Attorney Levin stated City Council could direct staff to temporarily accept a maximum of four inches from the natural grade for the bottom of the fence until the ordinance was amended. He confirmed Mr. Liquore was amenable to same.

Discussion ensued with consensus for a moratorium on fence height measurements until an ordinance amendment could be presented for Council’s consideration.

RECOMMENDATION FROM CITY OFFICERS

CITY ATTORNEY

City Attorney Levin announced the parties in the Fishermen’s Village case had agreed to extend the deadline for reaching an agreement to April 21, 2017.

BOARDS AND COMMITTEES

Announcement of Vacancies

Board of Zoning Appeals Alternate

City Clerk Smith announced the vacancy.

Building Board Alternate

City Clerk Smith announced the continuing vacancy.

Board of Zoning Appeals

City Clerk Smith announced the vacancy.

Building Board

City Clerk Smith announced the vacancy.

Punta Gorda Housing Authority (3)

City Clerk Smith announced the vacancies, noting an email received from the Punta Gorda Housing Authority Executive Director indicated it had been determined there would be no changes to the application process.

Nominations

Firefighters' Pension Board

Councilmember Prafke **NOMINATED** all interested parties.

POLICY AND LEGISLATION

WEIN: Commented the Cassini spacecraft had finished its 20-year research mission, would enter Saturn's atmosphere and crash sometime after midnight this date.

CITIZENS COMMENTS

None.

The meeting was adjourned at 12:32 p.m.

Mayor

City Clerk