

**CITY OF PUNTA GORDA, FLORIDA  
REGULAR CITY COUNCIL MEETING MINUTES  
WEDNESDAY, APRIL 3, 2019, 9:00 A.M.**

**COUNCILMEMBERS PRESENT:** Carey, Cummings, 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 Prafke** 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**

**Juan Ponce de Leon Conquistador Day**

**Mayor Prafke** presented the proclamation to a contingent of Conquistadors.

**Military Heritage Museum Week**

**Councilmember Matthews** presented the proclamation, which was accepted by Ms. Marilyn Smith-Mooney, Board of Directors President, and Mr. Gary Butler, Executive Director.

**Parliamentary Law Month**

City Attorney David Levin presented the proclamation to Ms. Stephanie King, Charlotte County Parliamentarians.

**Water Conservation Month**

**Councilmember Wein** presented the proclamation to Mr. Dennis Ragosta.

**Donate Life Month**

**Councilmember Cummings** presented the proclamation, which was accepted by Mr. Jim Lavery.

**Introduction of Board/Committee Member Nominees**

None.

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

**PUBLIC HEARINGS**

**Quasi- Judicial Public Hearings**

**Z- 01- 19 - An Ordinance of the City Council of Punta Gorda, Florida, rezoning approximately 0.88+/- acres of property, generally described as 200 West Henry Street, Punta Gorda, Charlotte County, Florida, and being more particularly described in Exhibit "A" attached hereto, from its current zoning classification of**

**Planned Unit Development (PUD) to Neighborhood Residential 15 Units Per Acre (NR- 15); providing for conflict and severability; and providing an effective date.**

**FIRST READING**

City Clerk Smith swore in the participants.

City Attorney Levin read the ordinance by title.

Ms. Lisa Hannon, Zoning Official, entered the staff report into the record by reference and presented the request for rezoning, noting the proposed ordinance would return the property to the underlying NR-15 zoning classification and remove the commercial entitlement from the property. She explained the NR-15 designation would provide continuity and consistency with the neighboring properties to the north and west as shown on the map. She stated based upon the findings and conclusions, staff and the Planning Commission recommended approval of the request.

Mr. Yuergen Siewer, applicant, stated the intent was to develop six duplexes and one single unit to provide 13 homes, adding all units would be single story, 20 feet high, key west style architecture, with two bedrooms and one bath and would be rented on a yearly basis at \$1,000 to \$1,200 per month.

Ms. Mary laquinto voiced concern regarding safety due to the lack of sidewalks in the area as well as automobiles speeding on Henry Street.

Ms. Lori Hutt voiced concern regarding density, questioning how that many units and parking spaces would fit on less than one acre. She concurred there were safety issues related to the lack of sidewalks and speeding.

Mr. Siewer stated the property was zoned 15 units per acre; thus 13 units were allowed, asserting 24 parking spaces would fit comfortably on the property.

City Attorney Levin stated with a rezoning the City did not have the authority to impose a height limitation or to ban short term rentals; however, if the applicant was willing to stipulate to those two requirements so that the restriction would run with the land, it would be possible to incorporate same into the ordinance and require a restrictive covenant be recorded along with the approval.

Mr. Siewer agreed to both stipulations.

**Mayor Prafke** called three times for public comment.

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

**MOTION UNANIMOUSLY CARRIED.**

City Attorney Levin provided guidance with respect to the laws in relation to rezoning versus special exceptions, advising if City Council zoned the property to something

other than the immediately adjacent property zoning, it might be challengeable as inconsistent with the existing zoning.

**Councilmember Cummings** stated it was necessary to look at the sidewalk infrastructure in that area.

**Mayor Prafke** and **Councilmember Matthews** agreed.

City Manager Kunik agreed to include same on the budget list.

Councilmember Matthews **MOVED** approval of Z-01-19 with the voluntary stipulations by the applicant to limit the structures to one story and to ban short term rentals, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

City Attorney Levin advised the ordinance would need to be revised to include those stipulations in a recordable restriction, adding if the property was in a flood zone where there needed to be an elevation above grade before the first living story could be constructed, the space below the first living story would not be considered a story.

**CONSENT AGENDA**

A. Citizen Comments - Consent Agenda Items

None.

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

**MOTION UNANIMOUSLY CARRIED.**

B. City Clerk's Department

1. Approval of Minutes: Regular Meeting of March 6, 2019
2. Approval of Minutes: Regular Meeting of March 20, 2019

C. Legal Department

1. Invoice of Persson & Cohen, P.A. for services rendered in February 2019
2. Monthly Litigation Report

D. Urban Design

1. A Resolution of the City Council of the City of Punta Gorda, Florida, as local host agency for the Charlotte Harbor National Estuary Program (CHNEP), approving the Interlocal Agreement between the City of Punta Gorda and Southwest Florida Regional Planning Council for assistance with CHNEP publications; authorizing the Mayor to sign the agreement on behalf of the City; and providing an effective date.

E. Police Department

1. A Resolution of the City of Punta Gorda, Florida, approving the Interagency Agreement between the Punta Gorda Police Department and Office of the State

Attorney Twentieth Judicial Circuit for the Electronic Transmission of Data; authorizing the City Manager to sign the agreement; and providing an effective date.

2. Appropriation of FY 2017 JAGC/DOJ JAG Police Department Grant Funds

F. Utilities Department

1. A Resolution of the City Council of the City of Punta Gorda, Florida, accepting a Bill of Sale, Release of Liens/Affidavit of no Liens, and Utility Easement from AAA Innovation, LLC, and Warranty from D.M. Construction Corporation, for wastewater collection facilities located within the Paradise Pointe development; providing for conflicts and severability; and providing an effective date.

### **Citizen Comments - Regular Agenda Items Only**

Ms. Kelly Gaylord spoke in favor of the Urban Forest Master Plan, suggesting same include identification of potential heritage trees.

### **BUDGET**

#### **Request to waive the competitive procurement process and purchase a replacement Police/Fire Boat from Metal Shark of Jeanerette, LA.**

Ms. Marion Pace, Procurement Manager, explained Metal Shark had a boat model comparable to the City's Brunswick Dauntless 24' which had been damaged, adding they offered a trade-in for the City's damaged hull and moving the existing equipment to the new boat for a total price of \$100,000. She stated due to Brunswick being unavailable to bid, staff recommended waiving the competitive solicitation process and awarding the purchase to Metal Shark.

City Manager Kunik stated staff was also requesting City Council approval of the settlement agreement with Risk Management Associates.

Councilmember Wein **MOVED** approval of the settlement agreement with Risk Management Associates, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

Councilmember Wen **MOVED** approval of waiving the competitive solicitation process and awarding the purchase to Metal Shark, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

Councilmember Wein **MOVED** to appropriate \$100,000 for purchase of the boat, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

#### **Award of Amendment #1 for Hydrogeological Surveying of Yucca Pens to Assist with Charlotte Harbor Flatwoods Restoration Initiative, in conjunction with the**

**Charlotte Harbor National Estuary Program to Southwest Engineering & Design Inc. of Punta Gorda, FL.**

Ms. Anne Heinen, Procurement, explained staff had prepared Amendment 1 to the Agreement for engineering services to complete Specific Authorization #SA9 for a total lump sum of \$148,650, which was inclusive of all expenses required to complete the hydrogeological surveying of Yucca Pens, concluding staff recommended award of Amendment 1 to Southwest Engineering & Design and appropriation of the funds. She noted the program was funded with grant monies.

Councilmember Wein **MOVED** approval of awarding the Amendment #1 to Southwest Engineering & Design and appropriating \$148,650 as recommended by staff, **SECONDED** by Councilmember Carey.

**MOTION UNANIMOUSLY CARRIED.**

**Ratification of Agreement between the City of Punta Gorda and Suncoast Professional Firefighters and Paramedics, Local 2546, International Association of Fire Fighters (IAFF) effective October 1, 2018.**

City Manager Kunik stated staff was requesting a motion to ratify the Agreement and appropriate the funds.

Councilmember Carey **MOVED** approval of ratifying the Agreement and appropriating the funds, **SECONDED** by Councilmember Matthews.

**MOTION UNANIMOUSLY CARRIED.**

**NOTE: Councilmember Wein left the meeting at 10:14 a.m.**

**NEW BUSINESS**

**Aqua Winter Economic Development Digital Marketing Update**

Mr. Elliot Cohen, Aqua Marketing & Communications (AMC), reviewed AMC's accomplishments over the past winter, as delineated in the agenda materials, noting a rebranding campaign had been implemented, Explore Punta Gorda, an economic development website had been established, collateral promotional materials had been designed, produced and distributed, partnerships had been created throughout the City and a two-month digital campaign had been launched. He highlighted sections of the website and the two collateral pieces which included a custom fold-out piece inserted in the *Sunseeker* guide.

Ms. Amber Coldran, AMC, reviewed the media approach and explained the objective for the digital marketing campaign was to maximize the message exposure, ensure key audiences were reached, generate awareness of economic development, increase brand awareness, employ a digital mix that would be effective across all platforms and

produce a higher return on investment, deliver trackable and measurable results and bring people to EPG, briefly reviewing some examples.

Mr. Cohen concluded with a review of AMC's publicity efforts.

**Councilmember Carey** inquired whether the news releases were published.

Mr. Cohen responded with uncertainty.

**Councilmember Carey** inquired as to follow through on EPG visits.

Mr. Cohen replied traffic to the website had increased by 400%, opining the campaign was working.

**Councilmember Carey** inquired how often EPG was updated.

Mr. Cohen replied they were averaging four stories per month.

**Councilmember Carey** pointed out the previous City Council was still pictured.

Mr. Cohen agreed to address same immediately.

**Councilmember Matthews** noted the website address being used for the City's municipal website was not current.

Mr. Cohen agreed to update same.

**Councilmember Matthews** voiced concern regarding inconsistency in the way the message was being sent out, noting the brochure did not contain the municipal website address. She opined EPG and the municipal website should be merged.

Mr. Cohen explained EPG was a collateral marketing tool and was never intended to replace the municipal website, pointing out keeping them separate allowed AMC the ability to update EPG easily and more frequently than would be possible on the municipal website, which was problematic and time consuming.

**Councilmember Matthews** confirmed EPG was compliant with the Americans with Disabilities Act.

Discussion ensued regarding website results.

### **Arbor Day: A New Approach**

Ms. Joan LeBeau, Urban Design Manager, stated the City had been celebrating Arbor Day for 24 years, adding it had become an award winning half day long celebration that had grown beyond staff's capability. She stated staff desired to continue celebrating Arbor Day and to develop a self-sustaining urban canopy. She stated the new direction was to partner with Ms. Jane Wanroy, a local business person, who was interested in developing a program to be known as Planta Gorda, briefly describing the proposed plan, new approach and resulting benefits, as delineated in the agenda material. She stated it was necessary to develop an Urban Forest Master Plan which would identify areas truly in need of trees as well as the right tree for those locations. She stated staff desired to launch the program on Friday, April 26, 2019 (Arbor Day)

with the planting of 12 trees in Gilchrist Park Area 1. She stated staff was seeking City Council approval of the program and appropriation of funds not to exceed \$5,000. She stated the trees would be purchased by Ms. Wanroy; however, the City would provide assistance with planting.

**Councilmember Matthews** stated an event planner had requested updated site plans for Gilchrist and Laishley Parks.

Ms. LeBeau agreed to update same.

**Mayor Prafke** inquired as to the types of trees to be planted.

Ms. LeBeau replied native trees, some of which would be larger shade trees.

**Mayor Prafke** inquired as to heritage trees.

Ms. LeBeau replied staff could address same in the Master Plan.

**Councilmember Carey** inquired who would select the trees and the locations for same.

Ms. LeBeau replied staff would do so for parks and City property; however, if the program expanded into residential areas, that would be handled separately.

City Attorney Levin inquired as to the City's relationship with Planta Gorda.

Ms. Wanroy explained she would be utilizing her own funds until a 501-C3 could be established for the public to make donations, noting all of the proceeds would be expended on obtaining trees for the City.

Ms. LeBeau clarified the initial planting of trees was part of the Arbor Day program, reiterating Ms. Wanroy would donate the trees while the City provided funds for the trees to be planted. She stated in the future Planta Gorda would handle all donations, adding the City would simply provide the locations for the trees to be planted.

Councilmember Carey **MOVED** approval of the new approach and appropriation of the funds, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

#### **RECOMMENDATION FROM CITY OFFICERS**

##### **CITY MANAGER**

No comments.

##### **CITY ATTORNEY**

No comments.

#### **BOARDS AND COMMITTEES**

##### **Nominations**

Burnt Store Isles Canal Advisory Committee

Councilmember Matthews **MOVED** to nominate and appoint Mr. Norman Ashworth, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

Historic Preservation Advisory Board

Councilmember Matthews **NOMINATED** all interested parties.

Firefighters' Pension Board

Councilmember Matthews **MOVED** to nominate and reappoint Mr. David Baird, **SECONDED** by Councilmember Cummings.

**MOTION UNANIMOUSLY CARRIED.**

### **POLICY AND LEGISLATION**

**CUMMINGS:** Reported on Legislative Action Days in Tallahassee where he visited the Office of Economic Opportunity to discuss the City's need for their support, met with representatives to discuss the bill for Boca Grande as well as justification for the I-75 signage, and attended the appropriation hearings for the House and the Senate.

**Mayor Profke** announced the signage requirement had been reduced to 50,000 visits per year.

City Manager Kunik clarified that figure was for each attraction, adding staff anticipated the most recent visitation figures for the Military Heritage Museum and Vietnam Veterans Memorial Wall would satisfy the criteria.

**MATTHEWS:** Reported on the Metropolitan Planning Organization meeting discussions/projects: Florida Department of Transportation was researching the possibility of improvements to the Aquia Drive intersection at U.S. 41 in order to improve safety and traffic flow; the Carmalita Street improvements project would be handled as a repaving project which moved the project timeline up to 2022; a traffic signal was to be installed at Bermont Road, which would eventually become a roundabout.

- Invited everyone to attend the grand opening of the Military Heritage Museum on April 13, 2019, the Chamber of Commerce ribbon cuttings on April 15, 2019 at 5:30 p.m., and the Admiral Chambers lunch on April 24, 2019 at 11:00 a.m.

### **CITIZENS COMMENTS**

Mr. Gene Pawlowski stressed the City was unique and AMC should feature same, suggesting everyone should help distribute the marketing brochures. He then opined the City should install Multi-Use Recreational Trails rather than sidewalks.

The meeting was adjourned at 11:11 a.m.

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Mayor

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City Clerk