

**CITY OF PUNTA GORDA, FLORIDA
REGULAR CITY COUNCIL MEETING MINUTES
WEDNESDAY, JULY 10, 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; Lisa Hannon, Mitchell Austin, 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

Smokey Bear Day

Mayor Prafke presented the proclamation, which was accepted by representatives of the Florida Forestry Service.

35 Year Service Award - Marian Pace, Procurement Manager

Ms. Melissa Reichert, Acting City Manager, announced after 35 years of distinguished service, Ms. Marian Pace, Procurement Manager, was retiring from the City.

Introduction of Board/Committee Member Nominees

None.

PUBLIC HEARING AGENDA

Quasi- Judicial Public Hearings

SE- 02- 19 - A Special Exception request by Geri Waksler, authorized agent for Broadway Shoppes, LLC, applicant and property owner, pursuant to Chapter 26, Section 16.8, Punta Gorda Code, to allow an indoor storage facility, which is permitted by Special Exception pursuant to Chapter 26, Article 3, Section 3.8(f)(9), Punta Gorda Code; for the property addressed as 1133 Bal Harbor Boulevard, Punta Gorda, Florida, located in the Neighborhood Center (NC) zoning district.

City Clerk Smith swore in the participants.

City Attorney Levin read the special exception request.

Ms. Lisa Hannon, Zoning Official, entered the staff report, as delineated in the agenda material, into the record by reference, briefly reviewing the criteria and findings. She concluded staff recommended conditions of approval which included obtaining a permit for expansion of the loading dock ramp, staff approval of the landscape buffer prior to installation and a requirement that exterior lighting must meet the City's Land

Development Regulations for intensity and design. She confirmed exterior storage of vehicles would not be permitted.

Ms. Geri Waksler, Broadway Shops LLC representative, briefly reviewed her experience and qualifications. She displayed a PowerPoint Presentation, as delineated in the agenda material, and drew members' attention to an aerial view of the site, explaining how the property had been utilized in the past, noting her client had subdivided the space and was leasing the units to a variety of tenants. She reviewed at length the proposal to convert the rear space to indoor storage which included an enclosed rear loading dock, noting installation of ramps was the only change proposed. She stressed the site appearance would remain the same; however, the landscape buffer on the southern boundary would be significantly enhanced to mitigate the visual impact for the adjacent condominiums. She outlined in detail how the proposal satisfied all criteria for evaluation of a request for a special exception. She stated the applicant's proposed conditions included limiting hours of operation from 6 a.m. to 10 p.m., prohibiting outdoor storage on the grassy area to the east of the building and requiring that the lighting placed on the rear of the existing building operate with motion sensors. She stated the applicant was amenable to the condition that lighting stay on site. She concluded staff and the Planning Commission had recommended approval with conditions, noting the applicant accepted those conditions.

Councilmember Matthews disclosed she had communicated with the applicant, confirming signage could be posted prohibiting skateboarding on the ramp and that a security code would be needed to gain entry.

Councilmember Wein inquired whether the applicant would be amenable to the condition of installing security cameras in the rear.

Ms. Waksler replied affirmatively.

City Attorney Levin confirmed Item 2 of the applicant's proposed conditions could be revised to indicate "including outdoor storage."

Mayor Prafke called three times for public comment.

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

MOTION UNANIMOUSLY CARRIED.

Councilmember Matthews **MOVED** approval of SE-02-19 with conditions as recommended by staff, the applicant's proposed conditions, as well as the additional conditions and corrections agreed to this date, **SECONDED** by Councilmember Carey.

MOTION UNANIMOUSLY CARRIED.

CONSENT AGENDA

A. Citizen Comments - Consent Agenda Items

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

MOTION UNANIMOUSLY CARRIED.

B. Finance Department

1. Extension of Agreement with Tetra Tech, Inc. for professional engineering services for the Reverse Osmosis Plant.

C. Urban Design Division

1. Southwest Florida Regional Resiliency Compact Draft Memorandum of Understanding

D. Police Department

1. Application for FY2019 Charlotte Community Foundation Community Investment Grant

Citizen Comments - Regular Agenda Items Only

None.

BUDGET

A Resolution adopting a tentative levy of annual special assessment for the City of Punta Gorda Lot Mowing Assessment District for Fiscal Year 2019- 2020; setting a date, time and place of public hearing to consider final adoption of the assessment; and providing an effective date.

City Attorney Levin read the resolution by title.

Ms. Kristin Simeone, Finance Director, explained based on using zero-turn mowers the current contractor's rate would increase by \$11 per mow per lot and would result in a proposed assessment of \$205.

Discussion ensued regarding the performance of the contractor and the type of equipment used as well as concerns regarding the appearance of vacant lots, costs per mow, potential loss of participants if rates increased and the impact of same on code enforcement.

Councilmember Cummings **MOVED** approval of the resolution with an assessment rate of \$170 using the tractors, **SECONDED** by Councilmember Carey.

VOTING AYE: Carey, Cummings, Matthews, Prafke.

VOTING NAY: Wein

MOTION CARRIED.

Ms. Simeone concluded the resolution would be amended to a rate of \$170, noting same set the final public hearing date for September 4, 2019 at 5:00 p.m.

A Resolution adopting a proposed millage rate for the City of Punta Gorda, Florida for Fiscal Year 2019/2020 and setting a date, time and place of public hearing to consider the adoption of the tentative millage rate and proposed budget.

City Attorney Levin read the resolution by title.

Ms. Simeone explained the proposed millage rate was 3.4337, noting the calculated rollback rate was 3.0521 making the proposed millage rate 12.5% over the rollback rate. She stated the resolution set the tentative millage rate and the public hearing date and time of September 4, 2019 at 5:01 p.m. She concluded the taxable value for homestead properties would increase no more than 1.9%, noting the property tax increase on a \$300,000 home would be \$79.

Councilmember Matthews requested the tax increases for homes valued between \$300,000 and \$600,000 be calculated and published in the Weekly Report.

Ms. Simeone agreed, adding she would also include information for non-homestead properties.

Councilmember Matthews **MOVED** approval of the resolution setting the tentative millage rate at 3.4337, **SECONDED** by Councilmember Cummings.

MOTION UNANIMOUSLY CARRIED.

Award of Amendment #1 - Specific Authorization #8 - Design and Permitting for the removal of BSI Lock (south side) and decommissioning of the boat lock, in accordance with Agreement #U2016104 Engineering Library, to Weiler Engineering of Punta Gorda, FL.

Ms. Anne Heinen, Procurement, explained the City had received one submittal from Weiler Engineering, noting same was evaluated and qualified by the Evaluation and Selection Committee. She reported the not-to-exceed cost was \$79,783 which was inclusive of all expenses to complete design and permitting, noting the Burnt Store Isles (BSI) Canal Advisory Committee approved the project cost for design and permitting only. She concluded staff recommended award of Amendment #1 to Weiler Engineering.

Councilmember Matthews **MOVED** award of Amendment #1 – Specific Authorization #8 to Weiler Engineering of Punta Gorda, FL for design and permitting only, **SECONDED** by Councilmember Weiler.

MOTION UNANIMOUSLY CARRIED.

Approval of Contract Change Order #3 with Florida Design Contractors for the Water Treatment Plant Main Generator Replacement Project

Ms. Marian Pace, Procurement Manager, explained the change order was to replace 6,000 feet of underground main power wire for the Shell Creek Water Treatment

Plant's main emergency generator due to an electrical short for a lump sum cost of \$300,086, noting the contractor had also requested an extension of 120 calendar days to complete the contract. She concluded staff recommended award of Change Order #3 to Florida Design Contractors.

Mr. Tom Jackson, Utilities Director, explained unused funds from other Capital Improvement Projects would cover the cost.

Councilmember Matthews **MOVED** approval of Contract Change Order #3 for Florida Design Contractors, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

Presentation of the Fair Share/Development Impact Fee Study

Mr. Dwayne Guthrie, Raftelis, provided a PowerPoint Presentation, as delineated in the agenda material, which summarized the study of the City's ordinances and rates and included a breakdown of existing and proposed impact fee schedules as well as a comparison of residential and nonresidential fees with other local jurisdictions. He noted the City's nonresidential fees were significantly less than comparable communities.

Councilmember Cummings opined impact fees could not rectify the City's financial problem of having an unsustainable reliance on residential taxes as opposed to having commercial be in balance, adding the City was at 80% buildout; therefore, there was not much room to grow. He voiced concern the current impact fee structure would put the City at a disadvantage demographically, adding the downtown did not have the critical mass to justify risking capital; thus, the timing was not good for increasing impact fees.

Councilmember Wein stated the high cost of land in Punta Gorda made it difficult to justify an investment. He pointed out the City was currently receiving less income from commercial development than prior to Hurricane Charley. He suggested it was necessary to be cautious, recommending commercial impact fees be kept as low as possible to encourage development in the future, which would pay for itself.

Councilmember Matthews agreed, adding the City wanted to see commercial development where it was needed. She stated it was necessary to obtain stakeholder input, opining the City was not like some of the communities used in the comparison. She concluded it was necessary to be moderate in raising impact fees.

Mayor Prafke concurred.

Councilmember Carey agreed raising the commercial impact fees was a concern; however, as the City continued to grow it would be necessary to fund needed infrastructure.

Discussion ensued regarding impact fees and growth.

Ms. Susan Shetley. Raftelis, recalled the City had created incentive programs for affordable housing and economic development, adding the latter was a flexible tool which could be expanded to introduce more issues related to the quality or type of economic development that was desired. She explained it could be broad based or targeted, adding there might be some opportunities in that area to address some of Council's concerns.

Mayor Prafke opined developers would come regardless of the fees if they were targeting the City as a location, adding it was necessary to find a balance so as not to give it away while still encouraging growth.

Ms. Shetley stated little could be done about that in the methodology for the fee calculation because same needed to be "even handed."

Mr. Guthrie voiced concern fees had not been increased since 2011; thus, they should be updated, suggesting rather than increasing the fee, the list of capital improvements for mobility could be reduced thereby decreasing the fees for all types of development. He reiterated it was necessary to have a rational nexus related to how fees were assessed. He concluded adjustments could be made, pointing out this was just the initial work session. He stated input would be obtained from the community and the fees could be tailored to what worked for the City.

Councilmember Wein requested the full amount of the fee, including the County's portion, be provided for each municipality.

Mr. Guthrie agreed.

NOTE: A short break was called at 10:56 a.m.

Ponce de Leon Park Utility Upgrade and Request from the Peace River Wildlife Center for the City to Bear their Portion of the Utilities Cost

Mr. Mitchell Austin, Urban Design Planner, provided a project summary including design expenditures, explaining the Peace River Wildlife Center (PRWC) had requested the City pay the total cost of the utility improvement in the amount of \$41,658.

Councilmember Matthews disclosed she met with representatives of the PRWC, opining the City should fund the project.

Councilmember Carey agreed, noting same was infrastructure.

Councilmember Wein confirmed the lift station was in need of replacement, commenting having the PRWC located within the Park was an economic benefit.

Councilmember Cummings suggested it was necessary to identify a funding mechanism.

Ms. Callie Stahl, PRWC Executive Director, stated the PRWC was unable to quantify its economic impact on the community; however, Mr. Jerry Jones, Visitor & Convention Bureau, would attempt to provide some information, estimating more than 100,000 people visited each year.

Discussion ensued regarding PRWC's request.

Councilmember Matthews **MOVED** approval of the award of Change Order #3 to Weiler Engineering not to exceed \$41,658 and have the City to assume responsibility for the utility line upgrade, **SECONDED** by Councilmember Wein.

MOTION UNANIMOUSLY CARRIED.

Draft FY 2020 Strategic Plan

Ms. Melissa Reichert, Communications Manager, explained the document provided was a draft for Councilmember review and input, adding the City Manager would provide a line by line review at a City Council meeting in September 2019.

Councilmember Matthews suggested holding a citizen workshop with Councilmembers observing as well as assisting with recording suggestions using flip charts, opining Ms. Reichert could facilitate same. She objected to a line-by-line review during a Council meeting.

Mayor Prafke opined the timeframe for a strategic plan should extend further out than one year, adding the document was incomplete and not ready for review.

Councilmember Carey questioned the need for a consultant.

Mayor Prafke responded an objective opinion was helpful.

Councilmember Wein agreed, pointing out City staff had the expertise; however, consultants were frequently hired because staffing was lean and already working at capacity.

RECOMMENDATION FROM CITY OFFICERS

CITY MANAGER

Ms. Reichert announced a public session would be held with Dover, Kohl & Partners on August 21, 2019 at 5:00 p.m. at the Charlotte Harbor Event & Conference Center. She noted the impact fee presentation was available on the City's website, adding same would be distributed to the various stakeholder groups.

CITY ATTORNEY

Announced he would be attending the annual Florida Municipal Attorney Association Conference the following week.

BOARDS AND COMMITTEES

Announcement of Vacancies

Utility Advisory Board

Punta Gorda Housing Authority - Resident Commissioner
Historic Preservation Advisory Board Alternate
City Clerk Smith announced the vacancies.

POLICY AND LEGISLATION

CUMMINGS: Announced the International Culture Fest would be held at Fishermen's Village from July 12 - 13, 2019.

MATTHEWS: Stated on Tuesday, July 16, 2019, a citizen committee would be meeting with the developer of the assisted living facility to be constructed at Aqui Esta Drive and Socorro.

CITIZENS COMMENTS

Ms. Nancy Johnson, TEAM, offered support to City staff for the Strategic Plan.

Mr. Brad Gamblin commented lower impact fees could give the impression the City was not economically viable or unattractive in some way.

The meeting was adjourned at 11:44 a.m.

Mayor

City Clerk