

MINUTES
REGULAR MEETING [Corrected](#)
CHARLOTTE HARBOR
COMMUNITY REDEVELOPMENT AGENCY ADVISORY COMMITTEE
Thursday, January 22, 2009 – 10:00 a.m.
County Administration Building – Room 119
18500 Murdock Circle, Port Charlotte, FL 33948

(These minutes are not official until they have been approved by the Charlotte Harbor CRA Advisory Committee.)

Members Present

James Herston, *Chairman*
Michael Haymans, *Vice Chairman*
Grace Amodeo, *Secretary*
Nathaniel Cooley
Evelyn Loeffler
David Schmidt
Charlotte Ventola

Members Absent

Staff Present

Derek Rooney, Assistant County Attorney
Debrah Forester, Redevelopment Manager
Seann Smith, Planner II
Kelly Slaughter, Public Works
David Milligan, Parks & Rec
Joanne Larson, Parks & Rec
Tanya Fitch, Parks & Rec
Kathy M. Knee, Recorder
Diane Quility, Budget Office

Guests

L.K. Nandam, FDOT
Gerard Moliere, FDOT
Warren Ross, Wotitzky Law Firm
Scott Headley
Cheryl Wynn
Jenny Miller

I. Call to Order

Chairman Herston called the January 22, 2009 meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee to order at 9:59 a.m. in Room 119 of the Charlotte County Administration Building.

II. Pledge of Allegiance

Chairman Herston led the members and the audience in reciting the Pledge of Allegiance.

III. Roll Call/Determination of Quorum

Roll call was taken; Secretary Grace Amodeo confirmed a quorum was present.

IV. Additions/Deletions to Agenda

Chairman Herston noted that a request was made to move Item X. A. New Business up in the Agenda to the position just below Old Business IX. D.

V. Approval of Minutes

Grace Amodeo requested that her absence be noted as excused in the Minutes of December 15, 2008 because the meeting was rescheduled while she was on vacation. Charlotte Ventola pointed out a typo on Page 3 at the last paragraph of Section X. The third sentence should read: Budget figures are conservative in light of the economy. **A motion was presented by Grace Amodeo and seconded by Charlotte Ventola to approve the Minutes of the December 15, 2008 meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee with noted corrections. Motion carried unanimously.**

Ms. Amodeo requested that Debrah Forester report back to the Committee after speaking with Candace Wehbe about art projects although this was not reflected in Minutes from the January 6 meeting. Ms. Forester assured the Committee she would keep them updated. **A motion was made by Grace Amodeo and seconded by Evelyn Loeffler to approve the Minutes of the January 6, 2009 special meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee as written. Motion carried unanimously.**

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VI. **Commissioner Comments** - Commissioner Loftus was unable to attend the meeting.

VII. **Public Comments** – None.

VIII. **Development Review Report** – None to report.

IX. **Old Business**

US 41 Banners: Invited to discuss bridge banner solutions were FDOT representatives, Gerard Moliere, District Structures Design Engineer, and L.K. Nandam, District Traffic Operations Engineer. Mr. Nandam explained to the Committee that FDOT could speak about their concerns as they relate to the pole design and banner arms, which has a break away wind load of 75 mph, but not the quality of the banners that were purchased. He mentioned that, at the request of the CRA, FDOT changed the street lights poles on the bridge to decorative poles which would accommodate banners. Discussion followed:

- David Schmidt, who owned a canvas business for many years, agreed that the decorative poles were not the issue. He indicated that the banner arms look like they could be adjusted to create a better fit for the banner. Mr. Nandam noted that most arms now use a screw instead of being permanently fixed to the pole. Kelly Slaughter mentioned that most of the arms are fixed.
- Mr. Schmidt advised that the current banner fabric is not reinforced properly and also recommended if new banners were to be purchased they should contain lightning holes to allow less wind stress on material.
- Mr. Nandam agreed the banners should have slits of some kind and also suggested that the banners should not be left up all the time or should be limited to poles toward the bottom of the bridge.
- Grace Amodeo asked about the possibility of using a fixed banner. Mr. Moliere cautioned that a fixed banner could be hazardous to both traffic and pedestrians if it broke off.
- Nathaniel Cooley asked FDOT representative if they would allow the maintenance of the banners from the sidewalk. FDOT policy would allow sidewalk installation and removal if the proper equipment was used.
- Kelly Slaughter reported that Pubic Works has received two quotes (\$5,900 and \$6,900) for the maintenance of the banners and neither was for maintenance from the pedestrian sidewalk side. One more quote is expected by the end of the week.
- Mike Haymans stressed the need for a common sense approach to the maintenance and asked if something as simple as a ladder could be used from sidewalk. Kelly Slaughter will check with Risk Management because OSHA rules will need to be followed.
- Jim Herston asked the wind load of a typical street sign – FDOT advised it was approximately 90 mph.
- Debrah Forester asked FDOT representatives if the FDOT had maintenance staff for installation and removal of the banners. They did not know but would find out and report back to Ms. Forester.
- Ms. Forester asked if she should get quotes for banners with lightning holes/slits and reinforced seam. Ms. Amodeo questioned the need since Punta Gorda CRA will not be contributing to the maintenance. Mr. Haymans reminded the Committee that this a due diligence process to determine if banners and maintenance can be at a reasonable cost and if so, the findings will be reported to the Punta Gorda CRA for their consideration.

Pier Lighting: David Milligan, Parks & Recreation, reported the lighting fixtures previously approved by the Committee have been ordered, and a meeting has been scheduled with the electrician to get a quote for installation. Expected completion for Phase 1, one pier, is June 1. Phase 2, second pier, will be completed one month later. Mr. Milligan suggested the lights for the pier by the amphitheater be installed first, leaving the old fishing pier as Phase 2. Discussion followed regarding which pier gets the most use. There was consensus to accept Mr. Milligan's suggestion to begin with the pier near amphitheater. This item was inadvertently noted as Park Lighting on the Agenda; Mr. Milligan confirmed that park lights have been complete for some time.

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Solar Light for Chester Roberts Park: Mr. Milligan reported that a solar light at Chester Roberts Park had been identified and distributed a picture of the fixture he recommends with a color change to black or bronze. This LED solar light has about 80 watts, is made by a Florida company with good customer service and includes a 5 year warranty. Installation will be done by the Parks Department. This unit requires low maintenance. Battery life is 3-4 years and the LED has a life span of about 15 years. Mr. Milligan suggested one light be purchased with programmable timer and an 8 hour battery at a cost not to exceed \$4,500. Discussion included light location and the existing trees and shrubs. Consensus of the Committee was to move ahead with this purchase but requested a battery be purchased that would allow for all night lighting since this is a safety issue. Mr. Milligan noted this request and commented that there may be an increase in cost to reflect this upgrade to the battery. Mr. Milligan will request the new revised cost and report back to the Committee.

Bayshore Live Oak Kiosk: Mr. Milligan requested CRA funding for the purchase and installation of a kiosk in Bayshore Live Oak Park. The kiosk would allow for the posting of upcoming community events and would include custom made structure laser cut top and bottom panels with images such as hibiscus or tarpon. Parks and Recreation staff will maintain and update posted events. Cost is about \$2,500. Since this kiosk would be for County use only, Mike Haymans also suggested a general posting area be included in the park for community input. Debrah Forester suggested the funds be set aside on the Programming line of the 2009 Work Plan. It was the consensus of Committee to move forward.

Debrah Forester asked if the Committee wanted to consider the installation of playground equipment in Bayshore Live Oak Park; David Milligan suggested an observation platform in the vacant lot. After discussion Committee consensus was that a playground is not needed at this time. Children seem to be enjoying the natural aspects of the park.

Chairman Herston congratulated David Milligan on his recent recognition as a Fellow in the American Society for Landscape Architects.

Bayshore Live Oak Park Events Update: Joanne Larson, Parks & Recreation, reported on upcoming events:

- February 13: Movie Under the Stars, Cartoons at 7 p.m.; Runaway Bride, adult theme, starts at 7:30. The last movie, a children's theme, brought about 300 people to the park.
- March 7: Good Old Days Antique Festival with antique vendors, entertainment and food, scheduled from 9 a.m. – 4 p.m.
- May 7 – 9: Historical Center - Pioneer Days.
- July 4: Entertainment, food and watching the Punta Gorda fireworks.

Tanya Fitch a Parks & Rec employee who will spend 50% of her time focused on Bayshore Live Oak Park booking events and meetings as well as obtaining sponsorships for the park events. Her office is located at the Historical Center. Ms. Fitch reported that park bookings include: 5 weddings; a memorial service; an 80th birthday; family picnics. The Zone 2 Pavilion with open space near the fireplace gets the most activity and there are a few requests for amphitheater. Ms. Fitch has also been researching the homeless issues. She has learned that many of the homeless are moving out of the area. Ms. Fitch can be reached by calling 941-629-7278.

Gateway Project Status Report: Debrah Forester reported on negotiations with Kimley Horn for the design and construction to create a park setting on the east side of US 41 and begin design of pedestrian promenade connection to the Bayshore Park sidewalk. This phase also includes the sidewalk from the northbound bridge to Melbourne. Contract is currently at \$267,000 which is within budget and includes the survey and geotechnical consultant fees; there is a contingency for the DRC process, if necessary, for an overall total budget of \$280,000. A community kick off

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meeting will be held. Peter Van Buskirk, a principal from Kimley Horn and project engineer for this project was introduced and he described the scope of work. Kimley Horn anticipates hiring a surveyor and geotechnical engineer to gather the data required for the entire project. Kimley Horn is calling the parking area and sidewalk connections Phase 1A and the pedestrian promenade and the connection of Chester Roberts to Bayshore Park as Phase 1B. The data collection project will allow them to quickly move from Phase 1A to 1B. Discussion followed and Debrah passed a map to members for review of the subject area. A copy of the draft contract will soon be shared with the Committee. It will take about nine months to prepare for construction. Mr. Herston asked if certification work is included and Mr. Van Buskirk advised that it was. Permitting will take some time but issues should be sorted out in Phase 1A. Discussion followed relating to provisions for the Riverwalk and it was suggested that Mr. Van Buskirk talk with Geri Waksler client, the owner the private property to see how both plans can dovetail together.

A motion was presented by Mike Haymans and seconded by David Schmidt to approve the scope and budget of the Kimley Horn project as presented. Motion carried unanimously.

Lighting on Welcome Sign: Kelly Slaughter confirmed that she has been advised of the Committee's concerns about the welcome sign lighting and has scheduled a meeting with the contractor at night so the issues may be addressed. She noted that light adjustments will be made. Ms. Slaughter also mentioned that in a few months the vines on the sign should be grown in which should eliminate the light in the back of the sign from shining through. Ms. Slaughter asked the members to offer additional comments once the adjustments are made.

(Agenda Change of Position) **NEW BUSINESS** - Headley Land Use Change Request for Review: A copy of the informational packet for the Headley Land Use Change Request was forwarded to members prior to the meeting for review. Warren Ross from the Wotitzky Law Firm gave a brief background of Mr. Headley property issues and his desire to reestablish automobile related businesses on the property. Mr. Ross distributed a copy of an e-mail from Scott Headley to Jan O'Neal which refers to calls he has received, all relating to auto related businesses. Mr. Headley has two parcels that he considers prime for auto type businesses but zoning changes no longer allow this use. The Committee discussed the need for business growth in the Charlotte Harbor area and determined they could support the return of the auto business into this area of Charlotte Harbor. Mr. Headley is set to go before P&Z soon.

A motion was presented by Mike Haymans and seconded by David Schmidt that this Committee recommend to the Zoning Official that the official recognize uses existing within a year of this date for consideration and continue the nonconforming rights for automotive use for each of the separate parcels even if it is in one unit of parcel. Motion carried unanimously.

Status of Infrastructure Grants (Qualified applicants - Income Eligible): Debrah Forester advised this information is not yet available. CCU is working on the final total and an update will be given at a future meeting.

Historical Overview of Arts District & Business/Zoning Discussions: Debrah Forester advised that she has reviewed Minutes from previous meetings and the attachment that was included with the Agenda packet was a summary of her research. The committee had reviewed a request from Ms. Cheryl Wynn regarding the ability to open art galleries in the area zoned Coastal Residential. Following the review of the zoning and comprehensive plan regulations, it was determined by Growth Management Staff that no type of commercial use is permitted in the residential area. A special meeting with this Advisory Committee was discussed in which Mr. Smith would provide more details as to what is allowed in mixed use and commercial intensive areas but this has not yet been done. At the annual 2008 joint meeting with the BCC this Committee was seeking guidance on pursuing an evaluation of rezoning or looking at creating an art district but the Minutes do not show that a consensus was reached. Approval by the BCC to dedicate staff time to pursue this

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matter is still needed. If it is the Committee's wish to go ahead Ms. Forester suggested that this item be included on the 2009 Work Plan and a limited dollar amount be allocated in the event that specific design standards are needed to assure that the community character is maintained; it will also be an identified item in the work plan that will be discussed at the February 26 joint BCC meeting.

Grace Amodeo began discussion by voicing her concern that this item needs to be looked at before things get out of control; the Committee needs a meeting with Seann Smith to review the special art district and allowed uses. Mr. Smith mentioned that he has brought some of these items to the Committee at a previous meeting but it was some time ago. Staff advised that research has also been done on art districts in other areas of the country. The review of a special art district was requested because business cannot be set up in a residential area. Ms. Amodeo referenced communication that was received from Cheryl Wynn suggesting Charlotte Harbor be incorporated into Punta Gorda. Ms. Forester noted that the correspondence was not received from Ms. Wynn but from Ms. Wehbe. Mike Haymans recommended and it was the consensus of the Committee that a special meeting be held to address the concerns of the land development regulations within the Charlotte Harbor CRA and to emphasis within that the inclusion of an art district in the Bayshore neighborhood. After a brief discussion about when to hold the meeting, staff was directed to schedule a meeting prior to February 26 so this matter can be brought up at the joint meeting with the BCC.

Revised Draft Work Plan for Fiscal Year 2009-2010: A copy of the revised Draft Work Plan for Fiscal Year 2009-10 was forwarded to Committee members prior to the meeting for review; changes are shown in yellow highlight. Debrah Forester reviewed the changes and noted the additional changes from today's discussion which include:

- Adjust Design and Permitting to reflect Kimley's cost of \$280,000.
- \$4,900 new line item Zoning and Comp Plan Review and Amendments
- Add \$481 to Construction line, making total \$470,022
- Add new line for Kiosk Funding in the amount of \$2,500; \$31,998 reduced by \$2,500.

A motion was presented by Mike Haymans and seconded by Charlotte Ventola to accept the Work Plan with suggested revisions. Motion carried unanimously.

Celebration of Completed Projects – January 23, 2009 – Bayshore Live Oak Park: Debrah Forester noted that this celebration will take place at the fireplace.

Hands Across the Harbor Event – January 24, 2009 – Bayshore Live Oak Park: Mike Haymans reported that the event committee has been having weekly meetings; there is a good list of sponsors and registration is going well; the banner and t-shirts are made; there has been great coordination with the Punta Gorda CRA and staff; it will be lots of fun; be there on Saturday morning.

Mr. Haymans left the meeting at this point.

X. New Business – this item was moved to an earlier position on Agenda. See above.

XI. Correspondence/Communications – The following documents were forwarded to Committee members prior to the meeting:

- Fall 2008 Issue of the Florida Redevelopment Banner – Maitland Downtown Smart Growth Building Green.
- E-mails Regarding Existence of a Nuisance Ordinance which is being investigated by Attorney's Office.
- Minutes from Punta Gorda CRA's January 7, 2009 meeting

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Evelyn Loeffler recommended that the Committee support a vagrancy ordinance, an open container law and regulations for landlords to address tenant drug issues. Ms. Loeffler mentioned that surrounding communities have these regulations and because Charlotte County does not, vagrants and drug users funnel to Charlotte Harbor. Ms. Loeffler indicated that the Sheriff's Office can do nothing until laws were in place and requested that this request be brought before the BCC. Jim Herston requested this item be added to the Agenda for the joint meeting. Ms. Loeffler mentioned that the sheriff's office would just be addressing vagrants who are drinking in the park and not those who are attending a picnic or community event. Mr. Cooley questioned how the law could differentiate between the two types of individuals. Debrah Forester will send an e-mail to the Florida Redevelopment Agency and ask the County Attorney's Office to be available at the joint meeting to discuss the options. The Sheriff's Office may be invited to a future meeting.

XII. Public Comments

Cheryl Wynn introduced herself and reminded the Committee that she did a presentation to them in March 2008. She mentioned she was misidentified earlier in the meeting and asked that this error be part of the record. Ms. Wynn updated the Committee events that took place since her presentation last year.

- Some of her property is zoned NBR and is being used as an art gallery.
- She previously considered either rezoning her properties from Coastal Residential to NBR or seeking a special exception. She was told a special exception would not be approved due to the current regulations.
- She abandoned this idea due to the time and cost involved to apply for rezoning and has focused on her properties already zoned NBR.
- Her property on Guard and Harper has recently opened as is art consignment shop.

Jenny Miller, who opened the art consignment shop at 4385 Guard, applauded the Charlotte Harbor area. She is pleased with her business location, loves the neighborhood but mentioned it needs lighting. Ms. Miller also noted that Bayshore Park does not need a playground as there is one just around the corner.

XIII. Staff Comments – None.

XIV. Attorney Comments – None.

XV. Member Comments – None.

XVI. Next Meeting Date

The next regularly scheduled meeting of the Charlotte Harbor Community Redevelopment Agency Advisory Committee will be on February 26, 2009 at 10 a.m. in Room 119 of the Charlotte County Administration Center. It will be a joint meeting with the Board of County Commissioners and ex-officio governing board of the Charlotte Harbor Community Redevelopment Agency.

XVII. Adjournment - There being no further business, the meeting **ADJOURNED at 12:52 p.m.**

Respectfully submitted,

Kathy M. Knee, Recorder

/kmk

Approved: 03/26/09