

JOINT MEETING

**BOARD OF COUNTY COMMISSIONERS
PUNTA GORDA CITY COUNCIL**

FEBRUARY 18, 2005

A joint meeting was held at the Murdock Administration Complex, Room 119, Port Charlotte, Florida. The following Board Members were present: Chairman Sara Devos and Commissioners Thomas G. Moore, Adam Cummings, Thomas C. D'Aprile and Matthew D. DeBoer. The following Council Members were present: Mayor Stephen J. Fabian, Jr. and Dr. David Phelen, Thomas D. Poole, Marilyn P. Smith-Mooney, and Larry Friedman. Also in attendance were Interim City Manager David Drury, County Administrator Bruce D. Loucks, County Attorney Janette S. Knowlton, and Deputy Clerk Diane J. Nice. The meeting was called to order at **9:05 A.M.**

Chairman Devos acknowledged the attendance of all Board and Council Members, congratulated and welcomed the newest Council Members, followed by the Pledge of Allegiance. **Chairman Devos** affirmed future joint meetings will be held and suggested this meeting focus on Agenda Items I through IV. **Mayor Fabian** stated Council Members decided at a meeting not to discuss Agenda Item VI today. **Chairman Devos** recommended placing Agenda Items V through XI on a future agenda. **Council Member Smith-Mooney** requested Agenda Item VII be discussed. **Chairman Devos** stated Agenda Item VII will be discussed if time permits. **Mayor Fabian** suggested concerns on Agenda Item X be discussed since the project is moving forward.

I. Charlotte County Memorial Auditorium

Chairman Devos explained items on the Board's agenda for February 22, 2005 include demolition of the Auditorium and moving forward with a feasibility study to identify what the County can support and requested comments from staff. Laura Kleiss-Hoeft, Parks, Recreation, and Cultural Resources Director, reported as of yesterday Federal Emergency Management Agency (FEMA) has approved funding for the tent on site to hold large events this spring and allow more time for design; negotiations are ongoing about the \$2.5 million from insurance, the amount from FEMA is unknown, and there are \$3 million in

sales tax revenues for the project; suggested staff move forward with design and public outreach; and suggested a name change to the Peace River Event Center. **Council Member Poole** requested clarification of FEMA's position on the tent. Ms. Kleiss-Hoeft explained staff received a telephone call from FEMA yesterday to fund the tent and staff will be attending the bid opening on the tent at 2:30 P.M. today. **Council Member Poole** requested the reference to memorial. Ms. Kleiss-Hoeft stated the memorial is for veterans and advised staff is contemplating establishment of a Veterans Memorial Garden at the North Charlotte Regional Park. Ms. Kleiss-Hoeft recommended opening the time capsule prior to demolition. **Chairman Devos** requested input on the Discussion Points. **Council Member Smith-Mooney** stated the general consensus of the community is that the site is owned by the City and leased to the County and clarified the property is owned by the County with a condition on the deed that the property reverts to the City if the property is utilized for other than public use; and many in the community have expressed the belief that the property should be dedicated solely to public facilities and uses and hotels should be constructed on adjacent private lands. **Chairman Devos** stated uses of adjacent properties will impact the type and size of facility to be constructed on the Auditorium site. **Council Member Poole** stated that should not be the determining factor and the facility should be designed to meet local community needs. **Commissioner Cummings** opposed construction of a hotel on the site; stated he does not have strong feelings about the name change as long as it clearly identifies the use; the public amenity should be built to bring people together in downtown Punta Gorda; commented in support of providing as much parking as possible to allow staging of outdoor events and parades; secure as much funding as possible from Federal, State and City resources; and move forward in an expeditious manner including hardening the wall tent. **Council Member Friedman** expressed opposition to building a hotel on the site, stated a feasibility study will reveal the type of facility, and the first priority should be to meet the needs of the immediate public and then a convention/conference center for external activities. **Council Member Phelen** opposed incorporating a hotel in the site design; stated once a decision on the use has been made public, private enterprise will provide supporting amenities; opined the Charlevoi Condominium complex should not be reconstructed since it is not compatible with surrounding commercial uses; and the

sooner an announcement is made on the use, the sooner a developer will proactively seek to purchase the property and incorporate it into downtown plans. **Council Member Poole** stated incentives should be provided to private industry without intent of condemnation or eminent domain proceedings. **Council Member Smith-Mooney** suggested the name change to Charlotte Harbor Event Center based upon Tourist Development Council and Economic Development Council promotions of Charlotte Harbor and the Gulf Islands; commented in support of a flexible interior use design using clear span structures and having a market study conducted to ascertain the feasibility for conference centers in the area; and commented on the need for public input during the design process. **Mayor Fabian** pointed out a recent edition of Forbes magazine indicates convention centers are ending up as white elephants and cautioned about speaking on convention versus conference centers. **Commissioner D'Aprile** suggested constructing a two-story building comprised of an auditorium on the first floor and a conference center with breakout rooms on the second floor. **Commissioner Moore** commented in support of reconstructing the same type of building to meet the needs of the community. **Council Member Poole** stated Sarasota County found out that a convention/conference center would have to be subsidized and reiterated the building should be for the use of local residents. **Council Member Phelen** expressed reluctance for dropping memorial out of the name since it recognizes veterans who have given so much for this Country. **Council Member Smith-Mooney** expressed uncertainty about a two-story building being within the budget, suggested a master plan for an ultimate long-range facility be done including the structural supports for a second story expansion. **Council Member Poole** stated the cost will increase for a second story. **Council Member Smith-Mooney** stated discussions entail parking on the ground floor which will allow for an outdoor plaza around an elevated building centered on the site and it is more cost effective to build a second story than to expand a first floor. **Chairman Devos** opened the floor to public input and announced procedures. Ray Rosenberg suggested consideration be given to a conference center to accommodate meetings of groups of 500 to 1,000 people and the building be constructed to provide an emergency refuge center. Walt Myers, President of Charlevoi Condominium Homeowners Association, stated the homeowners want the facility reconstructed very similar to the current building including landscape between the condominiums and the parking area instead

of extending Taylor Road to the waterfront; suggested the building, if moved towards the water, be kept back at least 200 feet from the seawall to allow for parking in the front; and reported Charlevoi is rebuilding as a premier hurricane rated structure through FEMA. John Benande, a Punta Gorda resident, stated the Auditorium/Courthouse Task Force expended a lot of time and effort in developing many useful recommendations to revitalize the downtown and community and enhance the economy. Harvey Goldberg, a Punta Gorda resident, recalled that 95% of people who attended meetings with the FEMA Task Force on the Long-Term Recovery Plans and responded to surveys expressed a desire for a multi-purpose event center to accommodate future needs. **Council Member Smith-Mooney** requested input on doing a quick feasibility study on the future success of a conference center. **Commissioner DeBoer** stated he has found only two convention/conference centers in the United States that break even; a market study on a County-wide basis should be conducted specific to a conference center; conference centers being built by numerous municipalities are making the market extremely competitive and the subsidy and attraction of events will increase; stated the Sarasota-Manatee Counties market study reflected there was no market for it; the use and rebuilding of the existing building is defined by prior and requested public uses including small breakout rooms; suggested simultaneously authorizing the Tourist Development Council to fund the market study and if the study shows there is a market for it and Federal monies are available, expressed support for building for the future. **Council Member Smith-Mooney** stated an architect should be able to design the facility with flexibility and market it as a conference center with meeting rooms; citizens have indicated they want the facility to be constructed for previous uses and more, if possible; commented on the difficulty of separating economic development from tourism which is the primary industry of Florida; suggested, as a second priority, the facility be designed to support and serve tourism and economic development functions. **Commissioner D'Aprile** concluded the primary use should be an auditorium and, if a conference center is supportable, then that would be a benefit to the community; hotels are needed; commented in support of a market study; and pointed out developers are looking at the other side of the Peace River for hotel sites. **Chairman Devos** stated the prior auditorium worked, greater pressure was being put on the facility due to the lack of amenities in the City and the

County; expressed a preference for increasing the size and making improvements to meet the needs of today and the future; the Performing Arts Center serves specific and separate needs from the auditorium/conference center; commented in support of a feasibility study to identify current and future needs; opined the private sector should be encouraged to provide conference type settings and the County and City should focus on an event center to serve current and future needs. **Council Member Smith-Mooney** suggested focusing on a large-scale open space facility and opined the private sector will then opt and market for hotels with conference facilities including small breakout rooms and catering facilities that would compliment the public event center; recalled Best Western had started marketing and attracting for conferences but it did not have a center for a large meeting; and commented in support of hiring an architect, starting the design as quickly as possible, and concurrently having a market study performed. **Commissioner Moore** stated insurance and sales tax revenues are available and questioned the likelihood of funds from the City. **Mayor Fabian** expressed uncertainty until a decision is made on the use. **Council Member Poole** stated the purpose of the Auditorium was for the enjoyment of the community; reiterated the study conducted in Sarasota and Manatee Counties did not identify a market; and suggested seriously considering the topography of the area. **Commissioner Cummings** stated there was consensus consistent with public input. **COMMISSIONER CUMMINGS MOVED FOR APPROVAL TO PROCEED WITH DEVELOPMENT, DESIGN, AND CONSTRUCTION OF A MULTI-PURPOSE TYPE EVENT CENTER THAT WOULD PRIMARILY SERVE EXISTING FUNCTIONS, AND SECONDARY, ALLOW FOR DOING MORE THINGS WITHOUT A HOTEL ON THE SITE, SECONDED BY COMMISSIONER DeBOER.** **Commissioner Moore** agreed with **Commissioner Cummings** and the Task Force's recommendation for a multi-use facility. **Council Member Smith-Mooney** requested staff input on why government should not get involved with a hotel operation on public property. Ms. Kleiss-Hoeft stated the facility has been busy and groups have been turned away; a public/private partnership with a hotel would raise issues about the hotel driving rentals and revenues and the priority of success would hinge on the hotel and secondary with the public facility; the conference center would be married to the hotel rather than working from a multi-purpose approach with all of hotels; there are 265 rental days at this time; and classroom, breakout rooms would provide a compliment to the hotels. **CALL ON THE MOTION: DECLARED UNANIMOUS. Council**

Member Smith-Mooney pointed out the necessity of separate votes by the Board and Council. **CALL ON THE MOTION BY THE BOARD OF COUNTY COMMISSIONERS: DECLARED UNANIMOUS. COUNCIL MEMBER SMITH-MOONEY MOVED FOR APPROVAL TO SUPPORT THE DECISION OF THE BOARD OF COUNTY COMMISSIONERS, SECONDED BY COUNCIL MEMBER POOLE.** **Council Member Phelen** requested clarification that this is a County facility and a County action is being taken concurred to by the City and that funding will be provided by the County. **Council Member Smith-Mooney** stated the purpose of the motion was to show the Council's full support of the County's action. **Council Member Phelen** stated funding is an issue for future discussion. **Mayor Fabian** clarified the Council will discuss funding as the project moves forward. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

II. Charlotte County Courthouse

Chairman Devos stated each of the Board and Council Members received packet information for review and requested input on allowing public input at this time. **(No objection.) Chairman Devos** announced public input procedures. Ellie Brewbaker, a Punta Gorda resident, requested the eyesore be restored. **Mayor Fabian** expressed understanding that the City and County have funded refurbishment of the exterior, stated the process should be allowed to move forward expeditiously, and it is not necessary to make a decision at this time on the interior. **Council Member Poole** stated he has tried for three years to get the Courthouse demolished, it serves no useful function, no use has been identified, it would need a total rebuild, it will be a drain on the economy, it costs about \$50,000 a year to pump the basement dry, the floors do not comply with building standards, and suggested dropping it and moving on. **Council Member Smith-Mooney** stated there is an immediate need for the use of the Courthouse by retail and office businesses and if an outside firm was hired to renovate the interior for such uses, the rentals could help defray costs. Michael Sheridan, County Facilities Construction and Maintenance Director, explained the exterior design should be completed for review in about a week and it should be forwarded to David Hennis, City Community Development Director, the end of next week; the gravity trusses collapsed as a result of Hurricane Charley and the damage must be repaired before exterior restoration; and staff is working with FEMA on hardening the roof and costs. **Commissioner DeBoer**

stated the per square foot estimates to restore the Courthouse are double what it would cost to construct a new building; it will be necessary to subsidize at least 50% of rental costs with tax dollars and this cannot be done with public funds; opined the Courthouse could be utilized for the court system; and the Courthouse is a public building that should be for public uses. **Chairman Devos** agreed. **Council Member Smith-Mooney** expressed no objection to public use of the building. **Commissioner D'Aprile** stated he made inquiries for educational uses but funding is not available; the building could be utilized for County offices; and commented in support of moving forward. **Chairman Devos** announced a consensus that the use of the building should remain public. **COMMISSIONER CUMMINGS MOVED FOR APPROVAL THAT THE COURTHOUSE USE SHOULD REMAIN PUBLIC, SECONDED BY COMMISSIONER DeBOER.** **Council Member Poole** recalled the Courthouse was designated as a sick building; commented on the insufficient parking; and stated if more space is needed, space should be placed where it is economically feasible and useable instead of spending a lot of money on restoration of a feel-good project. **CALL ON THE MOTION: DECLARED UNANIMOUS. COUNCIL MEMBER SMITH-MOONEY MOVED FOR APPROVAL FOR THE CITY COUNCIL TO SUPPORT THE CONCEPT OF PUBLIC USE AND SUPPORT SPECIFIC PUBLIC USES SUCH AS COURTS, COUNTY OFFICES, COMMUNITY MEETING ROOM SPACE, SECONDED BY COUNCIL MEMBER PHELEN.** **Council Member Poole** stated the City would not be required to provide funding since the building would be utilized for public uses. **Commissioner DeBoer** expressed the assumption that the building would belong to the County, it would be the responsibility of the County, and stated no request for funds has been made to the City because no uses other than public have been defined. **Council Member Friedman** encouraged moving forward to determine the public purpose instead of waiting until completion of the restoration. **Council Member Phelen** stated a lesson to be learned is that you do not continue an action until you know the intended purpose and commented in support of the County's intent to pursue a public use. **Council Member Poole** questioned if the building was damaged 50% by FEMA standards and, if so, does reconstruction have to comply with current Code requirements. Mr. Sheridan reported the damage caused by the hurricanes did not impose 50%, the building has not been analyzed under the Florida Building Code rule of improving a facility beyond the 50%, and he would need to refer the question to the County Building Official. **Council Member Smith-Mooney** recalled prior Clerk and Court uses

of the building brought a lot of vitality to the immediate area, stated there is adjacent parking, and suggested relocating Economic Development and Tourist Development offices since Punta Gorda is closer to the Ft. Myers airport. **Commissioner DeBoer** stated even though discussions have occurred on moving County staff into the Courthouse there has not been any specific use identified. **CALL ON THE MOTION: DECLARED UNANIMOUS.**

RECESS: 10:28 A.M. - 10:40 A.M.

Council Member Friedman applauded the last two motions approved unanimously and suggested a specific group be charged with defining public uses prior to the next joint meeting or completion of the exterior restoration. **Commissioner DeBoer** agreed with **Council Member Friedman**.

III. Height Restrictions

Commissioner DeBoer pointed out the City and County has separate ordinances governing height restrictions and the County ordinance specifically excludes structures within City limits.

Council Member Smith-Mooney requested verification that the County will identify the public uses. **Chairman Devos** stated the issue will be placed on a Broad agenda and a report will be made at the next joint meeting. **Council Member Poole** questioned the possibility of demolition if public uses are not identified. **Commissioner Cummings** stated no, public uses will be found. **Chairman Devos** indicated staff input is necessary and this is not the appropriate time. **Commissioner Cummings** concluded that **Council Member Friedman** requested that an entity be designated to make the decision and **Commissioner DeBoer** indicated the County would do so. **Council Member Smith-Mooney** pointed out that each of the Board and Council Members need to make a firm commitment and a determination needs to be made on which entity will be responsible in moving forward and the tone of these meetings should prevail on a joint basis.

Chairman Devos agreed with **Commissioner DeBoer** that the County's ordinance on height restrictions excludes buildings located within the City and expressed understanding that the City has expressed an interest in the Charlotte Harbor Community Redevelopment Area (CRA) height restrictions. **Mayor Fabian**

expressed uncertainty of why this topic was placed on the agenda.

IV. Sign Ordinance

Mayor Fabian stated two sign ordinances are sometimes applicable i.e. on the County and City portions of US 41 and expressed understanding that other jurisdictions have entered into interlocal agreements to allow the City to govern signs located within the City. **Council Member Friedman** stated the Council discussed this at the last meeting; the City Attorney suggested an overlay district be established covering US 41 that would be administered by the City i.e. one Code would be applicable to County and City businesses located along the US 41 corridor, permits would be issued by the City, and enforcement would take place by City Code Enforcement staff; the County would be divested from that responsibility and the need for associated manpower; if the County is amenable, the City might proffer an interlocal agreement that the County would no longer be responsible for updating and enforcing the sign ordinance and the City would administered it in totality; and this would provide one set of standards and consistency throughout. **Commissioner Cummings** stated he does not object to the concept; suggested annexation to the City might be a more effective means of dealing with the entire issue; indicated a desire for input from staff on legal ramifications; the first issue that needs to be fixed is the City/County boundaries since there are areas that the City can deliver services more effectively than the County as in Charlotte Park; the City would probably need to provide some subsidization and it can be done in a way that would be profitable for both; and commented in support of the City Council ascertaining the legality and practicality of such an agreement. **Council Member Smith-Mooney** stated disparities in County and City ordinances, not only sign ordinances, create problems making annexation difficult to achieve; agreed with **Council Member Friedman** about establishing an overlay district; and suggested City and County staff investigate other differences that would deter County businesses from seeking annexation to the City. **Council Member Friedman** stated the agreement would be a critical first step to cleaning up boundaries and annexation, requested conceptual agreement by the Board, and if legal, City staff will develop a proposal and bring it back. **Commissioner Moore** stated he has not heard any

benefit to the Board but he is willing to talk about it even though he may be abdicating some of his responsibility. **Commissioner DeBoer** expressed concern about the concept of the County using variations to its ordinances specific to geographic areas to enhance the possibility of annexation and opposed any action on an agreement today. **Commissioner Cummings** opined the best thing to do regarding the sign ordinance would be to straighten out the boundaries with annexation and commented on the large housing development on the west end and the new Lowe's that will increase traffic flows at intersections that the County will need to address. **Council Member Smith-Mooney** indicated it may be a Home Depot. **Council Member Poole** stated it would be a mistake to address more than the sign ordinance at this time. **Council Member Friedman** agreed with **Council Member Poole** and stated the primary purpose is to treat all businesses the same with regard to the sign ordinance. **Commissioner Moore** stated sign ordinance is on the agenda for the Board's February 22, 2005 meeting. **Chairman Devos** stated it is unfair to expect anything from the County other than reviewing the issue; stated a workshop will be scheduled for staff to bring back information on the legality and pros and cons of such an agreement; and, hopefully, it will be brought back for the next joint meeting along with the boundary streets. **Council Member Smith-Mooney** suggested focusing on competitive advantages under the sign ordinance i.e. the City prohibits businesses to display a product outside of the facility whereas businesses in the County do. **Council Member Smith-Mooney** advised Boundary Streets on the agenda refers to taking all boundary streets between the County and City and dividing the total lineal feet in half to eliminate boundaries in the middle of streets such as on Almar Drive. **Mayor Fabian** requested City staff to provide a comparison of the County and City sign ordinances. **Chairman Devos** opened the floor for public input. Bob Krieger suggested businesses be allowed to put addresses on signs. Ed Zapke, a Punta Gorda resident, commented in support of regularly scheduled joint meetings once a month or at least quarterly and recommended staffs provide reports and recommendations for agenda items. Jerry Dopper, a property owner in Charlotte Harbor and a Punta Gorda resident, pointed out the sign ordinance in the Charlotte Harbor CRA is probably more restrictive than those of the City and County; the CRA is implementing a sign grant program to encourage people to install monument signs along US 41 and turn Charlotte Harbor into a more village like community; and

suggested a review of the ordinance on the website under the Charlotte Harbor CRA.

VII. Sharing Grant Funds

Council Member Smith-Mooney recalled discussions at Tri-County meetings subsequent to Hurricane Charley that cities within the three counties would be too small to apply for certain disaster recovery funding and requested verification that a joint understanding or agreement exists that the City will receive its share of such funding. **Commissioner Cummings** expressed understanding that every dollar received is attributed to a specific project or cost, there are no general across-the-County monies, and suggested cooperative efforts be established for lobbying purposes. **Council Member Smith-Mooney** recalled that the loss dollars regarding destroyed homes were distributed on a County-wide basis. Bruce D. Loucks, County Administrator, explained grants are specific to geographic areas and projects, the affordable housing grants coming in for the County are distributed on an individual need and criteria basis, offered to provide a report that identifies City/County disbursements, and expressed awareness that many recipients reside in the City. **Commissioner DeBoer** recalled that these grants are to be proportionately shared. Mr. Loucks stated some of them.

X. Aqui Esta

Mayor Fabian stated concerns exist about putting in an 8' sidewalk in a residential area and requested more discussion. Thomas O'Kane, County Public Works Director, explained the design is moving forward, Johnson Engineering has been hired to begin surveys and preliminary designs; the Metropolitan Planning Organization (MPO) took action to move forward with a limited cross section; a decision was made to construct an 8' sidewalk, for a pedestrian and bike path all in one, on one side and reduce the roadway width; he has received numerous telephone calls from residents about a separate bike lane on Aqui Esta with a 6' sidewalk for pedestrians; that may be still be possible working through the Federal Highway Administration process; and at least one more workshop should be held with the public. Mark L. Gumula, MPO Director, reported the schedule approved by the MPO Board indicates start of a right-of-way acquisition phase this fall, a construction phase in 2007, the

schedule will be determined based on completion of design and construction and the Department of Transportation work on the right-of-way acquisition, the MPO Board only agreed to a certain cross section within the existing right-of-way of 60' with the sidewalk on the north side that allows for some changes, and the 8' sidewalk is not set in concrete. **Council Member Poole** questioned if design work was done for improvements at the US 41 intersection. Mr. O'Kane stated the project runs from US 41 to Bal Harbor; there will be some major modifications at the US 41 intersection including at least four lanes and a reduction in the left-turns into commercial properties; the railroad on the other side of US 41 needs to be fixed in coordination with Seminole Gulf Railroad; and the Federal and State governments were very specific in what they funded and the project did not extend over the railroad tracks. **Mayor Fabian** requested the timing for public hearings on the design. Mr. O'Kane estimated a public workshop in the spring. Ed Zapke appeared on behalf of the Punta Gorda Isles Civic Association in opposition to the 8' sidewalk because it will create more safety hazards due to people crossing the roadway to pick up mail, recommended a 6' sidewalk with a 2' grass median, commented on the need to distinguish between bicyclists who ride on sidewalks and roadways. Brian Duffy, known as the "Mayor of Aqui Esta", expressed opposition to an 8' sidewalk in his area; stated some bicyclists scare pedestrians; and reported he has a ton of petitions in opposition to the 8' sidewalks. **Commissioner D'Aprile** requested the purpose of 8' sidewalks. Mr. O'Kane explained an 8' sidewalk represents the standard cross section for hiking and biking trails and 6' is the minimum width of a pedestrian walkway; the 8' sidewalks have been used throughout Deep Creek, school areas, and pointed out school children do reside in the Aqui Esta area. **Mayor Fabian** opined a sidewalk through a residential area should not be classified as a bike trail and the 8' sidewalk is not in character with the residential area. **Commissioner Cummings** requested the size of sidewalks in Deep Creek. Mr. O'Kane advised 8' sidewalks are on Rio de Janeiro, Toledo Blade Boulevard, and a number of cross streets in school areas. **Commissioner Cummings** questioned if bike lanes can be put only on one side of roads with 6' sidewalks. Mr. O'Kane responded no because State law requires bicyclists to ride in the direction of traffic. **Commissioner Cummings** compared the 8' pedestrian/bicyclist sidewalk with the 6' pedestrian sidewalk and two 4' lanes on each side equates to

14' versus 8' of right-of-way and opined two 8' sidewalks would not fit in the right-of-way due to drainage requirements. **Commissioner Cummings** commented in support of a pedestrian/bicyclist pathway that allows everyone to use it and stated bike lanes adjacent to roadways are unsafe for children even if they are riding with an adult. **Council Member Poole** stated the ideal solution would be to find a back door to the bird section and reduce traffic significantly. Ellie Brewbaker, a resident four lots from Aqui Esta, stated there is no provision for a bike path between Coronado Drive and Bal Harbor and questioned the need for an elaborate 8' sidewalk/bike path between Bal Harbor and US 41 when there is not a need for it. Judith Burger, a resident at 1460 Aqui Esta, stated there is no elementary school in Punta Gorda Isles, all children are bussed so 8' sidewalks are not needed to accommodate school children; stated it is extremely unsafe to put pedestrians and bicyclists together; and bicycles have wheels and they do not belong on sidewalks with pedestrians.

XII. Future Meetings

Chairman Devos requested input on dates and locations. **Mayor Fabian** stated the City does not have the space for joint meetings. **Chairman Devos** recommended that joint meetings be held in Room 119 with the City hosting alternate meetings and announced the next meeting will be hosted by the City. **Mayor Fabian** suggested two months. **Council Member Poole** suggested once a month until the calendar is cleared and then meet every 6 to 8 weeks. **Chairman Devos** questioned if staff will have sufficient time to bring back information on the sign ordinances and clearing up the City/County boundaries and annexation. Mr. Loucks stated the Board will probably adopt the sign ordinance on February 22, 2005, stated the City has not adopted another sign ordinance, and staff will need time to make a comparison of City and County sign ordinances. David Drury, Interim City Manager, indicated the staffs will work together, discussions have been held regarding boundary streets, a review has been conducted of the CRA sign ordinance, and the City's ordinance is similar. **Chairman Devos** requested calendars be checked to meet on March 18, 2005 at the same time and place. **Chairman Devos** questioned when the Burnt Store project will be brought to the Board. Michael Konefal, Community Development Director, stated the Burnt Store Area Plan will be brought to the Board at the

earliest in mid-April. **Chairman Devos** announced the next joint meeting will be on March 18, 2005, at 9:00 A.M., in Room 119.

XIII. Council Member/Commissioner Comments

Commissioner Moore wished **Commissioner DeBoer** a Happy Birthday. **Council Member Smith-Mooney** expressed appreciation to the County for providing the meeting accommodations, stated it is advantageous to have the meetings in these Chambers, and it is great to have set the next meeting date. **Mayor Fabian** stated this was a good meeting and he is looking forward to more meetings. **Council Member Phelen** expressed appreciation for the meeting and he is looking forward to future joint meetings. **Commissioner DeBoer** suggested reviewing the resolutions establishing the City Council and Board regarding the frequency of meetings in order to implement a regular meeting schedule, suggested **Chairman Devos** and **Mayor Fabian** develop rules for the joint meetings, and thanked everyone for their birthday wishes. **Council Member Friedman** expressed appreciation for the opportunity to meet and stated he is looking forward to future meetings. **Commissioner Cummings** stated he is looking forward to more joint meetings, agreed with **Chairman Devos** about expanding the boundary street issue into a discussion on annexation, advised the water interconnects would probably be more of a status update, invited comments on water issues since he serves as the County and City representative to the Water Authority, and suggested the next agenda include better integration for development review and how to deal with the Burnt Store/US 41 intersection. **Commissioner Cummings** reported the County Attorney just handed him an e-mail advising that the Second District Court of Appeals has affirmed Florida Department of Environmental Protection's (FDEP) September 2003 Final Order denying IMC's permit application in the Altman case so the appeal was won. **Commissioner Cummings** explained IMC has been fighting the Altmann case for years, the County started with a loss on the Manson Jenkins phosphate issue and won the Altman case but IMC appealed that decision and it may very well set the stage for the Iona Mine case that started with a 20,000 acre mine that had to be reduced to a 4,500 acre mine due to changes in the Altman case. Janette S. Knowlton, County Attorney, added the Court affirmed it without a written appeal and, therefore, IMC has no further rights of appeal. **Commissioner DeBoer** added under Florida law IMC has a right to mine and, it was thought

that the best case scenario would be that IMC would be ordered to correct permit deficiencies for permission to mine but this sets IMC all the way back to start with filing another application. **Chairman Devos** stated this is a great day for the County, expressed appreciation for the opportunity to chair this joint meeting, agreed with **Commissioner DeBoer** on the need to establish joint meeting rules, and thanked everyone for their spirit of cooperation. **Chairman Devos** led everyone in singing Happy Birthday to **Commissioner DeBoer**.

MEETING ADJOURNED: 12:20 P.M.

Signature on file in Commission Minutes

Sara Devos
Chairman

ATTEST:

BARBARA T. SCOTT, CLERK
OF THE CIRCUIT COURT AND
EX-OFFICIO TO THE BOARD
OF COUNTY COMMISSIONERS

By: Signature on file in Commission Minutes
Deputy Clerk

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